

# Missouri Sentencing Advisory Commission



## Annual Report on Sentencing and Sentencing Disparity Fiscal Year 2015



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Charles Jackson	Governor -- Public Defender System

### Contacts

Gary Oxenhandler  
Judge, 13<sup>th</sup> Circuit  
Boone County Courthouse  
705 East Walnut  
Columbia, MO 65201  
(573) 886-4050  
[Gary.Oxenhandler@courts.mo.gov](mailto:Gary.Oxenhandler@courts.mo.gov)  
<http://www.courts.mo.gov/>

Julie R. Upschulte  
Management Analyst, MOSAC  
PO Box 104480  
Jefferson City, MO 65110  
(573) 522-5419  
[Julie.Upschulte@courts.mo.gov](mailto:Julie.Upschulte@courts.mo.gov)  
<http://www.mosac.mo.gov/>

George A. Lombardi  
Director, Department of  
Corrections  
PO Box 236  
Jefferson City, MO 65102  
(573) 526-6607  
[George.Lombardi@doc.mo.gov](mailto:George.Lombardi@doc.mo.gov)  
<http://www.doc.mo.gov/>

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## **PREFACE**

The Missouri Sentencing Advisory Commission is pleased to provide an annual report on sentencing and sentencing disparity in Missouri. The report is in fulfillment of the Commission's statutory responsibility to study sentencing practices and to report on the extent of disparity in sentencing disposition or length of sentences around the state and by race or ethnicity.

The report provides statistics on sentencing, the application of the death penalty and recidivism rates related to alternative sentences and prior criminal history.

The report has been produced with the assistance of professional staff in the Department of Corrections and in the Office of the State Courts Administrator.

Suggestions for topics to be included in future reports are welcome.

## **REPORT SUMMARY**

### **Factors Determining Missouri's Incarceration Rate**

At first glance, the best predictor of prison population would appear to be the number of offenders being sentenced and sent to prison at their first sentencing. However, the percentage growth in the prison population has been greater than the percentage growth of offenders being sentenced to prison at their first sentencing. The best predictor of changes in the prison population is the number of offenders being sentenced for a felony offense, regardless of disposition. This is due to the revocation effect. If the total number of offenders sentenced to probation at first sentencing increases then the number of probationers who are later revoked increases. If the number of offenders sentenced to 120-day and long-term treatment programs (Chapters 559 and 217, respectively) increases, then the number of probationers who are later revoked will also increase.

In fact, the revocation rate of offenders released from a Chapter 559 program is higher than that of offenders who are sentenced to straight probation. This makes sense because straight probation is, arguably, a lesser punishment than a Chapter 559 program and offenders sentenced to a Chapter 559 program generally have an increased criminal history. Prior criminal history not only influences sentencing but is also a risk measure. Simply stated, Chapter 559 participants represent a riskier group than those defendants sentenced to straight probation.

Of course, there are other factors that impact the prison population such as parole board release practices, minimum prison terms, no parole sentences, longer sentences for sex offenders, and the ever-growing list of dangerous felons (those required to serve 85% before parole consideration).

#### ***1. Felony Sentencing in Missouri***

In fiscal 2015 (July 1, 2014 to June 30, 2015), the number of felony sentences decreased by 5.9%, from 28,835 in fiscal 2014 to 27,138. These sentences are first, final dispositions including suspended imposition of sentence (SIS), suspended execution of sentence (SES), Chapter 559 programs, Chapter 217 programs or unmitigated sentences to prison. Probation was granted in 64.5% of the sentences. The decrease in fiscal 2015 is opposite than in previous years, but it is in line with the slowing in new sentencing that has been occurring over the last 15 years. In the 1990s, the average annual increase in sentencing was 6.3% and in the first decade of the 21<sup>st</sup> century the average annual increase was 2.1%. This slowing in sentencing in the last decade is the major reason why the growth in the prison population has slowed. Nevertheless, in the last ten years the prison population has increased by the near equivalent of a new prison, 2,122 inmates (see page 2).

#### ***2. Circuit and County Rankings***

Counties and circuit courts are ranked on nine sentencing and recidivism measures, and there are great variations in how counties sentence. One of the most striking disparities is in the percentage of defendants, who, at first, final disposition are sentenced to

unmitigated prison commitments - no SIS, no SES, no Chapter 559, no Chapter 217, etc. In fiscal 2015, while the state average for unmitigated prison commitments was 23.6%, one circuit sentenced over 50% of their defendants to prison, while eleven circuits sentenced less than 20% of their defendants to prison. Even when comparing metropolitan areas, significant differences exist: St. Louis City sentenced 27.1% of their defendants to prison compared to 18.6% by St. Louis County and 20.6% by Jackson County. The counties that use the Chapter 559 programs the most are generally the counties with a low percentage of unmitigated prison commitments. What is surprising is that the counties that have the most violent and serious crime, St. Louis and Jackson County, are not the counties that have the highest rate of prison sentences (see page 7). There has been a continuing national discussion on the appropriateness of incarceration for nonviolent offenders. On three measures Missouri is shown to have nearly 50% of its prison population serving nonviolent offenses but relatively few nonviolent offenders who are serving their first incarceration (6.1%) or their first felony (3.0%).

### ***3. Incarceration and Felony Sentencing Rates***

The incarceration rate for fiscal 2015 for a given county is the number of offenders in prison from that county on June 30, 2015 divided by the population of the sentencing county on June 30, 2015. The incarceration rate allows comparisons in sentencing between counties with small populations and counties with large populations (see chart Incarceration Rates, page 25).

Ranking 1<sup>st</sup> is St. Louis City with a population in excess of 300,000. On June 30, 2015, it had the highest incarceration rate in the state. Ranking 2<sup>nd</sup> and 3<sup>rd</sup> were Livingston and Dunklin Counties, respectively, with a population 1/7<sup>th</sup> the size of St. Louis City. It would appear that St. Louis City's rate is primarily due to the large number of serious crimes it experiences - resulting in more and longer prison sentences; Livingston and Dunklin incarceration rates are likely due to the sheer amount of crime per population that they experience. Interestingly, in terms of the amount of crime (violent and nonviolent), St. Louis City is only ranked 39<sup>th</sup> in the State (see chart Felony Sentencing Rates, page 27).

### ***4. Geographic Sentencing Disparity***

Geographic sentencing disparity is the difference in sentencing around the state for specific offenses. The data show that rural counties issue more severe sentences for offenders with convictions for drugs, DWI and other nonviolent offenses than the metropolitan circuits. For example, rural counties sentenced 20% of drug offenders to prison while the metropolitan counties sentenced only 11% of offenders to prison. The sentencing of serious violent and sex offenses is closer, but rural counties still sentence more severely. For class A felony violent offenses (murder, robbery, assault and kidnapping), 83% of offenders were sentenced to prison by the metropolitan counties and the average sentence is 16.3 years, while 81.7% of offenders were sentenced to prison in rural counties with an average sentence of 20 years (see chart New Sentencing, Violent Offenses, page 30).

### ***5. Sentencing Disparity by Race***

Endeavoring to fairly analyze whether race forms the basis of a sentencing disparity requires an examination of the severity of the offense, prior criminal history and time served. Notwithstanding the need for this analytical approach, the frank numbers are that the Missouri incarceration rate for black offenders (based upon 100,000 population increments) is 4 times that of white offenders. Nationally, the rate is 5.3 times that of white offenders.

Fiscal 2015 sentencing data shows that for the four racial or ethnic groups: black, Hispanic, white and other (Native American, Asian and Pacific Islander), black offenders receive the highest average prison sentences (black, 7.7 years; Hispanic, 6.1 years; white, 5.8 years and other, 7.2 years). Further, when compared to white offenders, black offenders have a higher rate of unmitigated prison sentences (black, 26.8%; Hispanic, 26.8%; white, 22.9% and other, 24.1%; see chart New Sentencing, All Offenses, page 32).

An analysis by offense group (violent, nonviolent, DWI, drugs and sex/child abuse) indicates that white offenders show a greater rate of prison sentences than black offenders, but similar average sentences for nonviolent offenses (page 33). For the remaining offenses:

White offenders show a slightly greater average sentence but similar rate of incarceration for DWI (page 33);

Black offenders are more likely to be sentenced to prison but with similar or shorter average sentences than white offenders for class A and B drug offenses and class C violent felonies (see charts, pages 34-35);

Blacks offenders show a greater rate of incarceration for class A violent offenses but much shorter average sentence than white offenders (page 35);

Black offenders show a greater average sentence for class A sex offenses, but lower average sentence for class B sex offenses than white offenders (page 36).

Prior criminal history could be a reason for sentencing disparities among races because prior criminal history results in more severe sentencing. In recent years, there has been little difference between the levels of prior criminal history of white and black males. What is surprising is that white females have a higher level of prior criminal history (49.5%) than black females (42.7%) (page 38).

Another source of the disparity may lie with the release practices of the Missouri Board of Probation and Parole. For offenders sentenced to a prison sentence, the Board of Probation and Parole has the discretionary responsibility to determine the release dates, subject to statutory restrictions on minimum prison time (Section 558.019, RSMo) and the statute that defines conditional release (Section 558.011, RSMo).

In fiscal 2015, the DOC released 7,254 offenders to their first release in their commitment. The average time served was 34 months which was 47.3% of the aggregate sentence. Black offenders served significantly more time than whites (45.7 months compared to 29.6 months). This is partly due to black offenders being sentenced to longer sentences (83 months compared to 67 months for white offenders, page 40). As a percent of

sentence, black offenders also served longer than white offenders (55% compared to 44% for white offenders). However, the difference between the actual time served and the Parole Board guideline time was similar for all races. The guideline time served is based upon a race neutral risk assessment, using risk factors that have been related to recidivism (see chart Sentence Served, page 40).

In order to more analytically evaluate the differences in sentencing between the races, a statistical model was developed that included the offense, the felony class, prior criminal history, race, gender, age and the circuit court of sentencing (Section 5). The analysis ranked the variables in the amount that they explained the sentence. The top three variables that explained most of the variation in sentencing were: the offense, the felony class and the prior criminal history. When the geographic diversity was represented by the three levels of metropolitan, first class and rural counties, race was included in the model. However, when the circuit court was included in the model, race became non-significant and was not selected.

The conclusion of the analysis is that race does not appear to significantly influence either sentencing or prison time served. This conclusion, of course, begs the questions: Are blacks a targeted population with more arrests, convictions, and, in turn, criminal histories? Are blacks charged with the same evenhandedness as other populations, or are they consistently charged with a more serious available charge? The analysis also indicated that great variations remain in how courts sentence even after accounting for the major sentencing variables.

#### ***6. Disparity in the Application of the Death Penalty***

The number of offenders being sentenced to the death penalty has been declining for over a decade, as have the number of offenders being sentenced to Murder 1<sup>st</sup> degree and Murder 2<sup>nd</sup> degree. Although there is a great disparity in the number of black offenders being convicted of murder compared to all other races, there is a lesser percent being sentenced to capital punishment, either statewide or by circuit (see pages 53-54).

#### ***7. Recidivism and Sentencing Disposition***

According to the data collected by the DOC, defendants with a Level I criminal history (no prior felonies and no more than 3 misdemeanors) who are placed on probation are less likely to violate probation and be sent to prison within two years of being placed on probation than are Level I defendants who are sentenced to an unmitigated prison sentence at their first final disposition and are released from prison (see chart Average Recidivism, page 56).



# 1. FELONY SENTENCING IN MISSOURI, FISCAL 1987- 2015

## Felony Sentencing and Population

From June 30, 1987 to June 30, 2015, the prison population increased from 10,719 to 32,284, an increase of 200%. The main reason for that increase has been the increase in felony sentences. , Felony sentences have increased by 162% since fiscal 1987. What is most surprising, given the increase in the prison population, is that the percent of felony convictions that are sentenced to probation each year has changed very little. In FY1987, 59.0% of offenders received probation and in FY2015, 64.5% of offenders received probation. What changed in the period was the growth of 120-day (shock probation, Chapter 559.115, RSMo) and long-term drug sentences (Chapter 217.262, RSMo) in the 1990s. The increase in 120-day and long-term treatment programs has been an alternative to prison sentences. Since fiscal 2000, the percent of prison sentences has been slowly increasing but in line with the slower increase in new sentences.

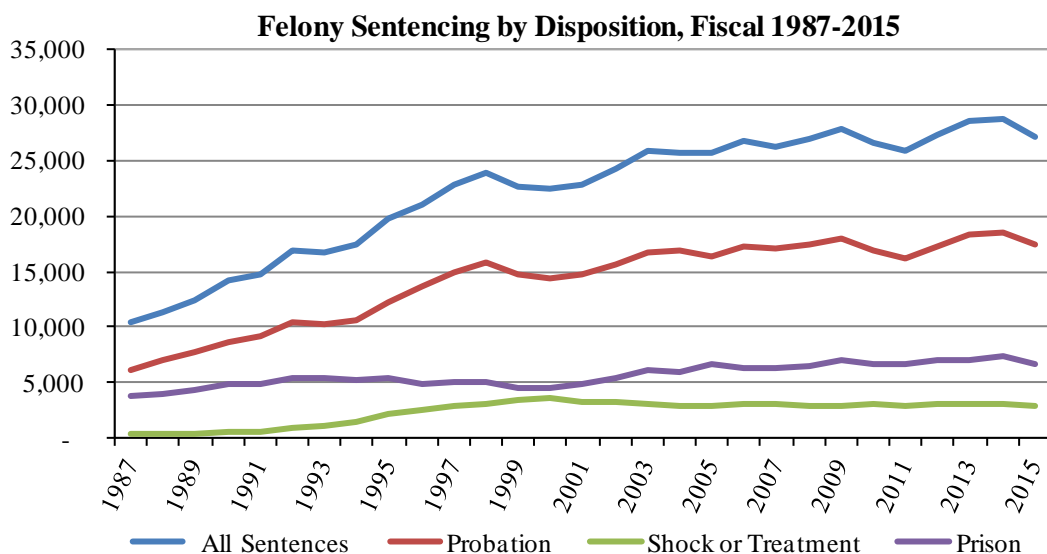
In the last five years there has been an average decrease in felony sentences of less than 1% per year, but there is considerable variation from one year to the next. In fiscal 2012 and 2013, the increase in sentencing was over 4% each year while it declined by nearly 5% in fiscal 2010 and almost 6% in fiscal 2015. Despite the slowing in the prison population, the increase in the last decade has been 2,122, which is the equivalent of a new prison.

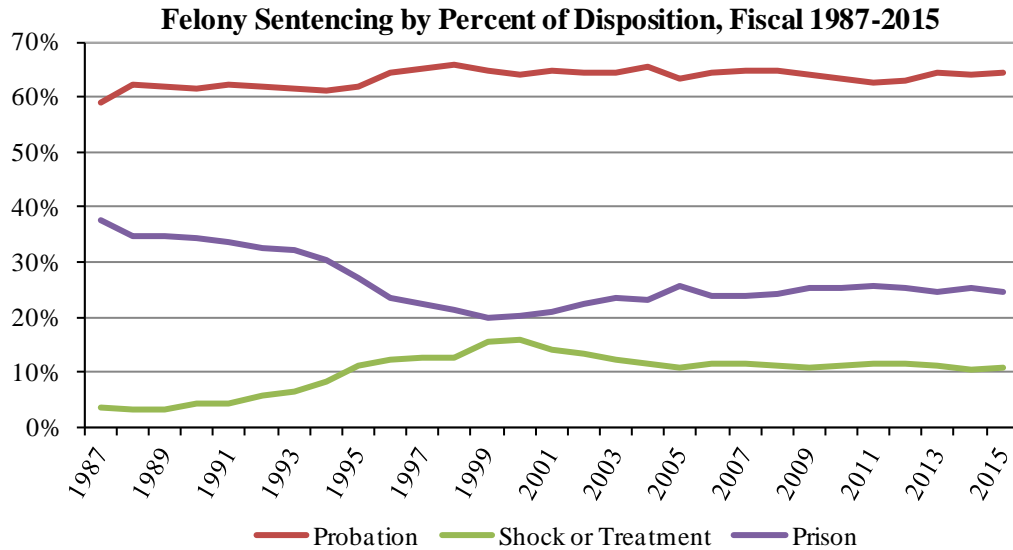
**Annual Growth Rates of Felony Sentences**

1987-1989	9.8%	
1990-1999	6.3%	
2000-2009	2.1%	
2010-2015	-0.4%	
2015	-5.9%	

**Annual Growth of Prison Population**

1987-1989	9.5%	
1990-1999	6.8%	
2000-2009	2.2%	
2010-2015	1.0%	
2015	1.2%	

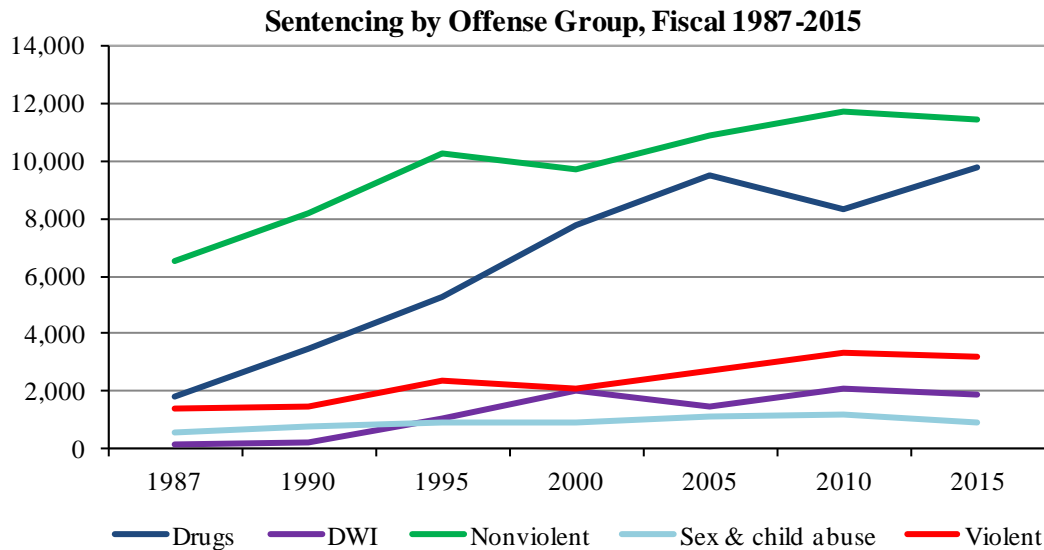




**Felony Sentencing and Prison Population, Fiscal 1987-2015**

Fiscal Year	All Sentences	Disposition			Annual Change	Percent			Prison Population	
		Probation	Shock or Treatment	Prison		Probation	Shock or Treatment	Prison	Count	Annual change
1987	10,352	6,104	367	3,881		59.0%	3.5%	37.5%	10,719	8.9%
1988	11,352	7,050	347	3,955	9.7%	62.1%	3.1%	34.8%	11,475	7.0%
1989	12,491	7,742	408	4,341	10.0%	62.0%	3.3%	34.8%	12,933	12.7%
1990	14,147	8,688	584	4,875	13.3%	61.4%	4.1%	34.5%	14,643	13.2%
1991	14,821	9,242	625	4,954	4.8%	62.4%	4.2%	33.4%	14,680	0.2%
1992	16,843	10,403	938	5,502	13.6%	61.8%	5.6%	32.7%	15,397	4.9%
1993	16,704	10,254	1,060	5,390	-0.8%	61.4%	6.3%	32.3%	15,933	3.5%
1994	17,435	10,693	1,465	5,277	4.4%	61.3%	8.4%	30.3%	16,356	2.7%
1995	19,792	12,241	2,196	5,355	13.5%	61.8%	11.1%	27.1%	18,434	12.7%
1996	21,080	13,616	2,554	4,910	6.5%	64.6%	12.1%	23.3%	20,152	9.3%
1997	22,857	14,859	2,904	5,094	8.4%	65.0%	12.7%	22.3%	23,359	15.9%
1998	23,947	15,809	3,015	5,123	4.8%	66.0%	12.6%	21.4%	24,082	3.1%
1999	22,701	14,686	3,476	4,539	-5.2%	64.7%	15.3%	20.0%	24,635	2.3%
2000	22,469	14,380	3,567	4,522	-1.0%	64.0%	15.9%	20.1%	26,377	7.1%
2001	22,746	14,765	3,191	4,790	1.2%	64.9%	14.0%	21.1%	27,522	4.3%
2002	24,277	15,671	3,207	5,399	6.7%	64.6%	13.2%	22.2%	29,155	5.9%
2003	25,951	16,748	3,151	6,052	6.9%	64.5%	12.1%	23.3%	29,487	1.1%
2004	25,782	16,863	2,963	5,956	-0.7%	65.4%	11.5%	23.1%	29,364	-0.4%
2005	25,753	16,353	2,813	6,587	-0.1%	63.5%	10.9%	25.6%	30,219	2.9%
2006	26,712	17,234	3,085	6,393	3.7%	64.5%	11.5%	23.9%	30,162	-0.2%
2007	26,332	17,015	3,035	6,282	-1.4%	64.6%	11.5%	23.9%	29,943	-0.7%
2008	26,902	17,396	2,988	6,518	2.2%	64.7%	11.1%	24.2%	30,033	0.3%
2009	27,914	17,896	2,987	7,031	3.8%	64.1%	10.7%	25.2%	30,476	1.5%
2010	26,594	16,863	3,005	6,726	-4.7%	63.4%	11.3%	25.3%	30,418	-0.2%
2011	25,912	16,252	2,979	6,681	-2.6%	62.7%	11.5%	25.8%	30,771	1.2%
2012	27,353	17,254	3,159	6,940	5.6%	63.1%	11.5%	25.4%	31,057	0.9%
2013	28,499	18,367	3,154	6,978	4.2%	64.4%	11.1%	24.5%	31,435	1.2%
2014	28,835	18,483	3,027	7,325	1.2%	64.1%	10.5%	25.4%	31,905	1.5%
2015	27,138	17,511	2,938	6,689	-5.9%	64.5%	10.8%	24.6%	32,284	1.2%

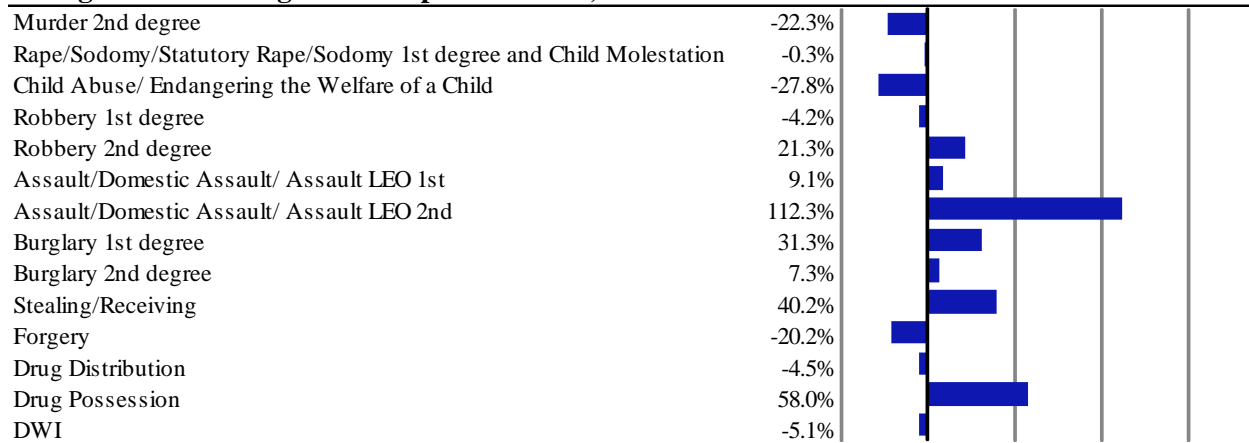
The increase in sentencing in the 1990s was lead by drug offenses, which averaged an increase of approximately 10% per through the 1990s. There was a decline from fiscal 2005 to 2010, but since 2010 the number of drug sentences has again been increasing. This increase has averaged nearly 3% per year in the last five years (particularly from drug possession). The greatest number of sentences is in nonviolent offenses (stealing, burglary, receiving), but this group has remained steady for the past five years with no average change per year. Violent offenses had been increasing from fiscal 2000 with the creation of new offenses for domestic violence and assault of a law enforcement officer, but the number of violent offenses has declined in the last five years by 1% a year.



#### Sentencing by Offense Group and Fiscal Year

	1987	1990	1995	2000	2005	2010	2015
Drugs	1,813	3,499	5,277	7,798	9,521	8,358	9,757
DWI	143	240	1,049	1,991	1,461	2,056	1,883
Nonviolent	6,508	8,199	10,262	9,712	10,909	11,716	11,426
Sex & child abuse	521	728	869	875	1,127	1,149	916
Violent	1,367	1,481	2,335	2,093	2,735	3,315	3,156
Total	10,352	14,147	19,792	22,469	25,753	26,594	27,138
<i>Growth rates expressed as an annual rate</i>							
Drugs		31%	10%	10%	4%	-2%	3%
DWI		23%	67%	18%	-5%	8%	-2%
Nonviolent		9%	5%	-1%	2%	1%	0%
Sex & child abuse		13%	4%	0%	6%	0%	-4%
Violent		3%	12%	-2%	6%	4%	-1%
Total		12%	8%	3%	3%	1%	0%

### Changes in Sentencing for the Top 15 Offenses, Fiscal 2000-2015



### Average Prison Sentences and Disposition

Average sentences for most offenses have changed very little since fiscal 1987 but there have been new offenses, particularly for sex crimes and domestic assault. Many sex offenses have had the severity of sentencing increased, both in average prison sentence and the percent who are sentenced to prison. Most serious violent offenses (Murder 2nd, Robbery 1st and Assault 1st) have shown no change or a small decline in the average sentence. However, Rape/Sodomy 1<sup>st</sup> and Statutory Rape/Sodomy 1<sup>st</sup> have shown some increase in average sentence length. For a number of nonviolent and drug offenses there was a small increase in average sentence length, but most nonviolent and drug offenders (about 70%) are sentenced to probation. Over 60% of offenders convicted of class B felony drug distribution are sentenced to probation.

### Average Sentence (years) of Fifteen Top Offenses by Fiscal Year

	1987	1990	1995	2000	2005	2010	2015
Murder 2nd degree	23.6	22.9	22.8	22.8	22.0	22.5	20.8
Rape/Sodomy 1st degree	11.4	11.4	15.1	16.9	17.9	18.6	20.1
Statutory Rape/Sodomy 1st & Child Molestation	-	-	8.7	12.9	12.1	13.1	14.8
Child Abuse/ Endangering the Welfare of a Child	3.3	3.6	4.1	4.8	3.7	3.2	3.8
Robbery 1st degree	16.3	15.7	15.8	13.4	14.1	13.4	13.3
Robbery 2nd degree	7.9	7.2	8.1	8.9	8.4	8.6	8.6
Assault/Domestic Assault/ Assault LEO 1st	12.7	12.7	13.1	14.0	12.7	12.1	12.3
Assault/Domestic Assault/ Assault LEO 2nd	4.0	3.8	5.2	5.2	5.3	5.1	5.5
Burglary 1st degree	7.4	7.5	9.9	8.8	8.1	8.0	8.7
Burglary 2nd degree	3.9	4.0	5.1	4.8	4.9	5.1	5.0
Stealing/Receiving	3.6	3.6	4.2	4.3	4.3	4.6	4.7
Forgery	3.5	3.2	4.0	4.3	4.1	4.3	4.4
Drug Distribution	5.0	7.2	7.6	7.7	7.4	7.6	8.6
Drug Possession	-	4.4	4.5	4.4	4.5	4.8	4.9
DWI	2.9	2.9	3.3	3.6	3.2	4.3	5.1
All offenses	6.3	5.8	7.2	6.9	6.1	6.5	6.5

**Disposition: Percent Sentenced to Probation for Fifteen Top Offenses by Fiscal Year**

	1987	1990	1995	2000	2005	2010	2015
Murder 2nd degree	-	-	0.6	-	4.1	0.8	2.0
Rape/Sodomy 1st degree	8.8	8.6	15.3	11.4	20.4	1.9	-
Statutory Rape/Sodomy 1st & Child Molestation	-	-	66.7	26.3	20.9	16.8	15.9
Child Abuse/ Endangering the Welfare of a Child	58.3	21.7	86.4	93.4	85.7	82.0	82.5
Robbery 1st degree	5.3	3.7	11.9	24.3	15.7	21.3	22.6
Robbery 2nd degree	17.1	11.4	21.2	29.1	27.2	30.8	33.0
Assault/Domestic Assault/ Assault LEO 1st	10.0	8.7	30.0	34.3	35.6	27.6	30.1
Assault/Domestic Assault/ Assault LEO 2nd	25.7	27.1	46.2	58.4	55.2	59.4	57.6
Burglary 1st degree	22.2	17.6	38.4	53.6	55.4	56.2	48.0
Burglary 2nd degree	31.0	35.3	47.6	60.3	61.8	60.4	61.7
Stealing/Receiving	33.9	35.5	58.9	70.8	69.6	71.7	70.8
Forgery	30.9	44.1	60.8	68.7	65.5	65.9	68.0
Drug Distribution	93.8	77.9	44.8	57.9	61.0	63.2	60.5
Drug Possession	94.7	76.1	64.6	76.7	73.9	75.4	74.2
DWI	36.9	30.8	31.4	46.2	50.4	51.8	68.7
All offenses	59.0	61.4	61.8	64.0	63.5	63.4	64.5

Source: DOC. Offenders received by the DOC for a new sentence (probation, shock probation, drug treatment or prison commitment). Multiple sentences handed down on the same day and in the same court are counted as one sentence and the offense is the most serious in offense severity and length of sentence.

## 2. CIRCUIT AND COUNTY RANKINGS

When circuits are compared by sentence type and by average prison sentence at first, final disposition there are wide variations in sentencing practice. Using the sentence data for offenders received by the Department of Corrections for fiscal 2015, the 45 Missouri circuit courts have been ranked using six measures:

### *Prison Sentences as a Percentage of All Dispositions*

Percent prison sentences ranges from 51.4% for circuit 43 (Caldwell, Clinton, Daviess, DeKalb and Livingston) down to 13.6% for circuit 41 (Macon and Shelby). The average percent is 23.6%. St. Louis City (27.1%) ranks 12<sup>th</sup>, and St. Louis County (18.6%) and Jackson County (20.6%) are in the lowest one third.

### *Shock Probation (Chapter 559) and Long-Term Treatment (Chapter 217) Programs as a Percentage of All Prison, Shock and Treatment Sentences*

Percent of shock and treatment programs ranges from 51.7% for circuit 35 (Dunklin and Stoddard) down to 12.8% for circuit 22 (St. Louis City). The average percentage is 29.9%. Jackson County (36.5%) ranks 10<sup>th</sup>, and St. Louis City and St. Louis County (23.2%) are in the lowest quarter.

### *Average Prison Sentences*

St. Louis City has the highest average prison sentence (9.5 years) and Circuit 43 (Caldwell, Clinton, Daviess, DeKalb and Livingston) has the lowest average sentence (4.2 years). Life sentences are included in the average sentence as 30 years. The statewide average sentence is 6.3 years.

### *Nonviolent Offenders as Percent of Incarcerated Population*

The range of incarcerated nonviolent prisoners is from 73.2% of the prison population for circuit 15 (Lafayette, Saline) to 18.0% for Jackson County. The counties with the lowest percentage of nonviolent offenders are the three metro counties (St Louis City, St Louis County and Jackson County). The statewide average is 47.7%.

### *Recidivism after Two Years for Offenders Released to Parole or on Completion of Sentence*

The range of recidivism rates is from 47% in circuit 37 (Carter, Howell, Oregon, Shannon) to 28% in circuit 41 (Macon and Shelby). The range in recidivism is relatively narrow with a statewide average of 35.4%.

### *Recidivism after Two Years of Probation*

Probation recidivism (revocations) has a much wider range from 38.8% in circuit 5 (Andrew, Buchanan) to 11.7% in Jackson County. The statewide average is 20.9%. Nearly all the circuits with large populations have low probation recidivism rates.

Although these rankings indicate that sentencing standards appear very different among courts, small numbers in some circuits may add to variability. There may also be differences in the level of crime, the type of crime and in the prior criminal history of the offender population. For example, St. Louis City has a higher percentage of violent crime than other circuits which would

explain the high average prison sentence in St. Louis City. The high volume of crime in St. Louis may explain the low proportion of sentences that result in a prison sentence.

## Prison Sentences as a Percentage of All Dispositions

### BY CIRCUIT

This chart shows the number of defendants by court circuit in fiscal 2015 who, at their first, final disposition are sentenced and committed to prison without the benefit of Chapters 559 and 217 programs. Further, it does not include defendants who have had the imposition of their sentence suspended and are placed on probation. Ranking is in descending order with highest percentage first.

Rank	Circuit	Counties	# Prison Sentences	Prison Sentences as a Percentage Sentences
1	43	Caldwell, Clinton, Daviess, DeKalb, Livingston	187	51.4%
2	5	Andrew, Buchanan	229	37.4%
3	18	Cooper, Pettis	154	37.0%
4	15	Lafayette, Saline	140	32.8%
5	13	Boone, Callaway	296	32.5%
6	17	Cass, Johnson	145	30.0%
7	24	Madison, St. Francois, Ste. Genevieve, Washington	207	30.0%
8	1	Clark, Schuyler, Scotland	17	28.8%
9	7	Clay	135	27.6%
10	34	New Madrid, Pemiscot	91	27.3%
11	44	Douglas, Ozark, Wright	84	27.2%
12	22	St. Louis City	483	27.1%
13	6	Platte	90	26.1%
14	39	Barry, Lawrence, Stone	176	25.5%
15	32	Bollinger, Cape Girardeau, Perry	141	25.5%
16	19	Cole	126	25.3%
17	40	McDonald, Newton	69	25.3%
18	37	Carter, Howell, Oregon, Shannon	67	24.7%
19	26	Camden, Laclede, Miller, Moniteau, Morgan	243	24.6%
20	29	Jasper	115	24.4%
21	45	Lincoln, Pike	71	24.1%
22	4	Atchison, Gentry, Holt, Nodaway, Worth	32	23.9%
23	10	Marion, Monroe, Ralls	63	23.8%
24	12	Audrain, Montgomery, Warren	97	23.6%
25	33	Mississippi, Scott	79	23.4%
26	11	St. Charles	231	22.3%
27	9	Chariton, Linn, Sullivan	24	22.0%
28	35	Dunklin, Stoddard	144	22.0%
29	3	Grundy, Harrison, Mercer, Putnam	35	21.7%
30	14	Howard, Randolph	56	21.6%
31	20	Franklin, Gasconade, Osage	111	21.6%
32	27	Bates, Henry, St. Clair	70	21.3%
33	16	Jackson	364	20.6%
34	23	Jefferson	151	20.2%
35	25	Maries, Phelps, Pulaski, Texas	178	19.9%
36	36	Butler, Ripley	66	19.5%
37	21	St. Louis County	614	18.6%
38	31	Greene	211	18.4%
39	30	Benton, Dallas, Hickory, Polk, Webster	105	17.8%
40	42	Crawford, Dent, Iron, Reynolds, Wayne	82	16.6%
41	2	Adair, Knox, Lewis	25	15.6%
42	38	Christian, Taney	96	14.6%
43	8	Carroll, Ray	26	14.3%
44	28	Barton, Cedar, Dade, Vernon	42	14.1%
45	41	Macon, Shelby	15	13.6%

Statewide Average  
23.6%

## BY SENTENCING COUNTY

This chart shows the number of defendants by sentencing county in fiscal 2015 who, at their first, final disposition are sentenced and committed to prison without the benefit of Chapters 559 and 217 programs. Further, it does not include defendants who have had the imposition of their sentence suspended and are placed upon probation. Ranking is in descending order with a ranking of 1 being the county with the highest percentage.

Ranking	County	Circuit	Prison Sentences	As % of All Dispositions	Ranking	County	Circuit	Prison Sentences	As % of All Dispositions
91	Adair	2	18	15.9%	9	Livingston	43	54	38.0%
7	Andrew	5	15	40.5%	92	Macon	41	13	15.9%
109	Atchison	4	2	11.1%	17	Madison	24	16	34.0%
35	Audrain	12	40	27.2%	59	Maries	25	9	23.1%
25	Barry	39	69	28.4%	54	Marion	10	45	24.3%
112	Barton	28	6	9.5%	47	McDonald	40	26	25.0%
96	Bates	27	16	15.0%	81	Mercer	3	4	19.0%
77	Benton	30	27	20.5%	40	Miller	26	55	26.2%
109	Bollinger	32	6	11.1%	27	Mississippi	33	24	28.2%
23	Boone	13	211	31.4%	6	Moniteau	26	34	41.0%
10	Buchanan	5	216	37.1%	33	Monroe	10	9	27.3%
68	Butler	36	54	21.9%	76	Montgomery	12	17	20.5%
3	Caldwell	43	30	61.2%	57	Morgan	26	35	23.5%
12	Callaway	13	85	35.9%	64	New Madrid	34	40	22.3%
65	Camden	26	58	22.3%	45	Newton	40	43	25.4%
24	Cape Girardeau	32	120	30.2%	31	Nodaway	4	19	27.5%
97	Carroll	8	6	14.6%	16	Oregon	37	9	34.6%
5	Carter	37	3	42.9%	94	Osage	20	7	15.2%
29	Cass	17	80	28.1%	8	Ozark	44	21	38.2%
58	Cedar	28	13	23.2%	18	Pemiscot	34	53	34.0%
21	Chariton	9	9	32.1%	100	Perry	32	14	14.1%
106	Christian	38	39	12.1%	4	Pettis	18	116	43.4%
43	Clark	1	6	26.1%	78	Phelps	25	77	20.4%
32	Clay	7	134	27.5%	42	Pike	45	28	26.2%
2	Clinton	43	41	65.1%	43	Platte	6	90	26.1%
46	Cole	19	125	25.1%	98	Polk	30	24	14.5%
51	Cooper	18	37	24.8%	75	Pulaski	25	60	20.5%
101	Crawford	42	33	13.6%	72	Putnam	3	5	20.8%
113	Dade	28	3	8.6%	55	Ralls	10	12	24.0%
37	Dallas	30	23	26.7%	70	Randolph	14	46	21.7%
13	Daviess	43	15	34.9%	99	Ray	8	20	14.2%
1	Dekalb	43	47	70.1%	84	Reynolds	42	7	17.9%
89	Dent	42	14	16.3%	103	Ripley	36	12	13.2%
56	Douglas	44	20	23.8%	22	Saline	15	53	31.9%
30	Dunklin	35	114	27.8%	33	Schuyler	1	3	27.3%
62	Franklin	20	94	22.7%	95	Scotland	1	3	15.0%
87	Gasconade	20	9	17.0%	60	Scott	33	59	23.0%
114	Gentry	4	1	8.3%	107	Shannon	37	2	11.8%
83	Greene	31	209	18.2%	115	Shelby	41	2	7.4%
47	Grundy	3	11	25.0%	67	St. Charles	11	229	22.1%
61	Harrison	3	15	22.7%	28	St. Clair	27	18	28.1%
63	Henry	27	36	22.5%	26	St. Francois	24	122	28.4%
90	Hickory	30	6	16.2%	36	Ste. Genevieve	24	24	26.4%
14	Holt	4	8	34.8%	82	St. Louis City	22	477	27.1%
40	Howard	14	11	26.2%	38	St. Louis Cnty	21	625	18.8%
52	Howell	37	54	24.5%	105	Stoddard	35	31	12.5%
15	Iron	42	17	34.7%	80	Stone	39	33	20.0%
74	Jackson	16	362	20.6%	72	Sullivan	9	5	20.8%
53	Jasper	29	116	24.5%	86	Taney	38	57	17.2%
79	Jefferson	23	151	20.2%	88	Texas	25	30	16.9%
20	Johnson	17	65	32.7%	104	Vernon	28	18	12.8%
47	Knox	2	3	25.0%	69	Warren	12	40	21.9%
71	Laclede	26	61	21.3%	11	Washington	24	44	36.1%
19	Lafayette	15	88	33.5%	102	Wayne	42	11	13.4%
39	Lawrence	39	75	26.2%	93	Webster	30	25	15.3%
108	Lewis	2	4	11.4%	111	Worth	4	1	10.0%
66	Lincoln	45	43	22.3%	50	Wright	44	43	24.9%
85	Linn	9	10	17.2%	<b>Statewide Average</b>				<b>23.6%</b>

## Shock and Treatment Sentences

### BY CIRCUIT

This chart shows the number of defendants by court circuit in fiscal 2015 who, at their first, final disposition were sentenced to Chapters 559 and 217 programs expressed as a percentage of all prison and Chapters 559 and 217 programs. This ranking indicates the use of Chapters 559 and 217 programs as an alternative to prison, with the higher ranked counties utilizing alternative programs to a greater degree. Ranking is in descending order with highest percentage first.

Rank	Circuit	Counties	# Shk/Trt Sentences	Shock and Treatment Sentences as a Percentage of all Prison, Shock and Treatment Sentences
1	35	Dunklin, Stoddard	154	51.7%
2	42	Crawford, Dent, Iron, Reynolds, Wayne	75	47.8%
3	10	Marion, Monroe, Ralls	54	46.2%
4	28	Barton, Cedar, Dade, Vernon	36	46.2%
5	23	Jefferson	112	42.6%
6	38	Christian, Taney	67	41.1%
7	14	Howard, Randolph	37	39.8%
8	2	Adair, Knox, Lewis	16	39.0%
9	11	St. Charles	139	37.6%
10	16	Jackson	209	36.5%
11	45	Lincoln, Pike	40	36.0%
12	4	Atchison, Gentry, Holt, Nodaway, Worth	18	36.0%
13	25	Maries, Phelps, Pulaski, Texas	98	35.5%
14	34	New Madrid, Pemiscot	50	35.5%
15	3	Grundy, Harrison, Mercer, Putnam	19	35.2%
16	8	Carroll, Ray	14	35.0%
17	31	Greene	112	34.7%
18	29	Jasper	60	34.3%
19	40	McDonald, Newton	36	34.3%
20	12	Audrain, Montgomery, Warren	50	34.0%
21	1	Clark, Schuyler, Scotland	8	32.0%
22	30	Benton, Dallas, Hickory, Polk, Webster	49	31.8%
23	20	Franklin, Gasconade, Osage	51	31.5%
24	27	Bates, Henry, St. Clair	31	30.7%
25	32	Bollinger, Cape Girardeau, Perry	62	30.5%
26	13	Boone, Callaway	128	30.2%
27	33	Mississippi, Scott	34	30.1%
28	9	Chariton, Linn, Sullivan	10	29.4%
29	7	Clay	54	28.6%
30	15	Lafayette, Saline	56	28.6%
31	41	Macon, Shelby	6	28.6%
32	26	Camden, Laclede, Miller, Moniteau, Morgan	94	27.9%
33	44	Douglas, Ozark, Wright	28	25.0%
34	36	Butler, Ripley	21	24.1%
35	6	Platte	28	23.7%
36	21	St. Louis County	185	23.2%
37	37	Carter, Howell, Oregon, Shannon	19	22.1%
38	24	Madison, St. Francois, Ste. Genevieve, Washington	58	21.9%
39	17	Cass, Johnson	40	21.6%
40	39	Barry, Lawrence, Stone	48	21.4%
41	19	Cole	31	19.7%
42	43	Caldwell, Clinton, Daviess, DeKalb, Livingston	46	19.7%
43	5	Andrew, Buchanan	54	19.1%
44	18	Cooper, Pettis	31	16.8%
45	22	St. Louis City	71	12.8%

Statewide Average  
29.9%

## BY SENTENCING COUNTY

This chart shows the number of defendants by sentencing county in fiscal 2015 who, at their first, final disposition were sentenced to Chapters 559 and 217 programs expressed as a percentage of all prison and Chapters 559 and 217 programs. This ranking indicates the use of Chapters 559 and 217 programs as an alternative to prison, with the higher ranked counties utilizing alternative programs to a greater degree. Ranking is in descending order with a ranking of 1 being the county with the highest percentage.

Ranking	County	Circuit	SHK/TRT		As % of All Prison & SHK/TRT	Ranking	County	Circuit	SHK/TRT		As % of All Prison & SHK/TRT
			Sentences						Sentences		
34	Adair	2	11		37.9%	62	Livingston	43	25		31.6%
76	Andrew	5	5		25.0%	83	Macon	41	4		23.5%
52	Atchison	4	1		33.3%	109	Madison	24	2		11.1%
52	Audrain	12	20		33.3%	24	Maries	25	6		40.0%
84	Barry	39	21		23.3%	11	Marion	10	43		48.9%
3	Barton	28	10		62.5%	23	McDonald	40	18		40.9%
43	Bates	27	9		36.0%	52	Mercer	3	2		33.3%
48	Benton	30	14		34.1%	58	Miller	26	27		32.9%
7	Bollinger	32	6		50.0%	63	Mississippi	33	11		31.4%
59	Boone	13	103		32.8%	106	Moniteau	26	6		15.0%
98	Buchanan	5	50		18.8%	100	Monroe	10	2		18.2%
81	Butler	36	17		23.9%	88	Montgomery	12	5		22.7%
97	Caldwell	43	7		18.9%	50	Morgan	26	18		34.0%
88	Callaway	13	25		22.7%	40	New Madrid	34	23		36.5%
73	Camden	26	21		26.6%	65	Newton	40	18		29.5%
75	Cape Girardeau	32	43		26.4%	28	Nodaway	4	12		38.7%
52	Carroll	8	3		33.3%	100	Oregon	37	2		18.2%
114	Carter	37	0		0.0%	42	Osage	20	4		36.4%
72	Cass	17	29		26.6%	104	Ozark	44	4		16.0%
33	Cedar	28	8		38.1%	51	Pemiscot	34	27		33.8%
111	Chariton	9	1		10.0%	12	Perry	32	13		48.1%
17	Christian	38	30		43.5%	108	Pettis	18	17		12.8%
24	Clark	1	4		40.0%	32	Phelps	25	48		38.4%
68	Clay	7	53		28.3%	35	Pike	45	17		37.8%
112	Clinton	43	4		8.9%	82	Platte	6	28		23.7%
96	Cole	19	31		19.9%	18	Polk	30	18		42.9%
71	Cooper	18	14		27.5%	80	Pulaski	25	19		24.1%
6	Crawford	42	41		55.4%	102	Putnam	3	1		16.7%
4	Dade	28	4		57.1%	18	Ralls	10	9		42.9%
84	Dallas	30	7		23.3%	30	Randolph	14	29		38.7%
37	Daviess	43	9		37.5%	44	Ray	8	11		35.5%
113	Dekalb	43	1		2.1%	22	Reynolds	42	5		41.7%
5	Dent	42	18		56.3%	94	Ripley	36	3		20.0%
67	Douglas	44	8		28.6%	64	Saline	15	23		30.3%
13	Dunklin	35	101		47.0%	24	Schuyler	1	2		40.0%
61	Franklin	20	44		31.9%	24	Scotland	1	2		40.0%
76	Gasconade	20	3		25.0%	69	Scott	33	23		28.0%
1	Gentry	4	2		66.7%	114	Shannon	37	0		0.0%
46	Greene	31	112		34.9%	7	Shelby	41	2		50.0%
45	Grundy	3	6		35.3%	36	St. Charles	11	139		37.8%
37	Harrison	3	9		37.5%	91	St. Clair	27	5		21.7%
52	Henry	27	18		33.3%	86	St. Francois	24	37		23.3%
52	Hickory	30	3		33.3%	107	Ste. Genevieve	24	8		25.0%
94	Holt	4	2		20.0%	87	St. Louis City	22	72		13.1%
21	Howard	14	8		42.1%	76	St. Louis Cnty	21	185		22.8%
91	Howell	37	15		21.7%	2	Stoddard	35	55		64.0%
60	Iron	42	8		32.0%	39	Stone	39	19		36.5%
41	Jackson	16	208		36.5%	102	Sullivan	9	1		16.7%
49	Jasper	29	60		34.1%	28	Taney	38	36		38.7%
20	Jefferson	23	111		42.4%	14	Texas	25	24		44.4%
105	Johnson	17	12		15.6%	16	Vernon	28	14		43.8%
76	Knox	2	1		25.0%	31	Warren	12	25		38.5%
74	Laclede	26	22		26.5%	99	Washington	24	10		18.5%
70	Lafayette	15	34		27.9%	93	Wayne	42	3		21.4%
110	Lawrence	39	9		10.7%	90	Webster	30	7		21.9%
7	Lewis	2	4		50.0%	7	Worth	4	1		50.0%
47	Lincoln	45	23		34.8%	65	Wright	44	18		29.5%
14	Linn	9	8		44.4%	Statewide Average					29.9%

## Average Prison Sentences

### BY CIRCUIT

This chart shows the average sentence length by court circuit in fiscal 2015 of defendants, who, at their first, final disposition, were sentenced to a commitment, without the benefit of 559 and 217 programs. Life sentences are computed as 30 years. Ranking is in descending order with longest average prison sentence first.

Rank	Circuit	Counties	# Prison Sentences	Average Prison Sentence (years)
1	22	St. Louis City	483	9.5
2	16	Jackson	364	7.5
3	9	Chariton, Linn, Sullivan	24	7.2
4	11	St. Charles	231	7.2
5	38	Christian, Taney	96	6.9
6	15	Lafayette, Saline	140	6.9
7	7	Clay	135	6.8
8	30	Benton, Dallas, Hickory, Polk, Webster	105	6.8
9	29	Jasper	115	6.7
10	24	Madison, St. Francois, Ste. Genevieve, Washington	207	6.6
11	23	Jefferson	151	6.5
12	45	Lincoln, Pike	71	6.5
13	31	Greene	211	6.4
14	25	Maries, Phelps, Pulaski, Texas	178	6.3
15	32	Bollinger, Cape Girardeau, Perry	141	6.3
16	8	Carroll, Ray	26	6.3
17	17	Cass, Johnson	145	6.2
18	40	McDonald, Newton	69	6.2
19	21	St. Louis County	614	6.2
20	12	Audrain, Montgomery, Warren	97	6.2
21	42	Crawford, Dent, Iron, Reynolds, Wayne	82	6.1
22	19	Cole	126	6.0
23	27	Bates, Henry, St. Clair	70	5.9
24	14	Howard, Randolph	56	5.8
25	26	Camden, Laclede, Miller, Moniteau, Morgan	243	5.8
26	13	Boone, Callaway	296	5.7
27	35	Dunklin, Stoddard	144	5.6
28	10	Marion, Monroe, Ralls	63	5.4
29	37	Carter, Howell, Oregon, Shannon	67	5.4
30	39	Barry, Lawrence, Stone	176	5.4
31	28	Barton, Cedar, Dade, Vernon	42	5.3
32	3	Grundy, Harrison, Mercer, Putnam	35	5.3
33	1	Clark, Schuyler, Scotland	17	5.2
34	18	Cooper, Pettis	154	5.2
35	44	Douglas, Ozark, Wright	84	5.1
36	34	New Madrid, Pemiscot	91	5.1
37	2	Adair, Knox, Lewis	25	5.0
38	6	Platte	90	5.0
39	20	Franklin, Gasconade, Osage	111	4.9
40	33	Mississippi, Scott	79	4.9
41	5	Andrew, Buchanan	229	4.6
42	4	Atchison, Gentry, Holt, Nodaway, Worth	32	4.6
43	36	Butler, Ripley	66	4.5
44	41	Macon, Shelby	15	4.4
45	43	Caldwell, Clinton, Daviess, DeKalb, Livingston	187	4.2

Statewide  
Average  
6.3 yrs.

## BY SENTENCING COUNTY

This chart shows the average sentence length by sentencing county in fiscal 2015 of defendants, who, at their first, final disposition, were sentenced to a commitment, without the benefit of 559 and 217 programs. Life sentences are computed as 30 years. Ranking is in descending order with a ranking of 1 being the county with the longest average prison sentence.

Ranking	County	Circuit	Prison Sentences	Avg. Sent. (yrs.)	Ranking	County	Circuit	Prison Sentences	Avg. Sent. (yrs.)
78	Adair	2	18	5.1	110	Livingston	43	54	3.7
105	Andrew	5	15	3.9	99	Macon	41	13	4.3
114	Atchison	4	2	3.0	80	Madison	24	16	5.0
92	Audrain	12	40	4.7	67	Maries	25	9	5.4
97	Bary	39	69	4.4	77	Marion	10	45	5.1
95	Barton	28	6	4.5	28	McDonald	40	26	6.5
107	Bates	27	16	3.9	111	Mercer	3	4	3.5
21	Benton	30	27	6.9	85	Miller	26	55	4.9
91	Bollinger	32	6	4.7	80	Mississippi	33	24	5.0
56	Boone	13	211	5.7	68	Moniteau	26	34	5.4
90	Buchanan	5	216	4.7	17	Monroe	10	9	7.0
93	Butler	36	54	4.6	60	Montgomery	12	17	5.6
76	Caldwell	43	30	5.1	38	Morgan	26	35	6.2
52	Callaway	13	85	5.8	95	New Madrid	34	40	4.5
37	Camden	26	58	6.3	46	Newton	40	43	6.1
24	Cape Girardeau	32	120	6.7	112	Nodaway	4	19	3.5
3	Carroll	8	6	8.8	2	Oregon	37	9	9.4
72	Carter	37	3	5.3	74	Osage	20	7	5.1
45	Cass	17	80	6.1	34	Ozark	44	21	6.4
89	Cedar	28	13	4.7	63	Pemiscot	34	53	5.5
14	Chariton	9	9	7.2	94	Perry	32	14	4.6
5	Christian	38	39	8.0	59	Pettis	18	116	5.6
57	Clark	1	6	5.7	19	Phelps	25	77	6.9
22	Clay	7	134	6.8	20	Pike	45	28	6.9
87	Clinton	43	41	4.8	78	Platte	6	90	5.1
47	Cole	19	125	6.0	30	Polk	30	24	6.5
108	Cooper	18	37	3.9	50	Pulaski	25	60	5.8
43	Crawford	42	33	6.1	109	Putnam	3	5	3.8
115	Dade	28	3	2.7	62	Ralls	10	12	5.6
69	Dallas	30	23	5.4	61	Randolph	14	46	5.6
42	Daviess	43	15	6.1	65	Ray	8	20	5.5
113	Dekalb	43	47	3.2	74	Reynolds	42	7	5.1
70	Dent	42	14	5.4	101	Ripley	36	12	4.1
100	Douglas	44	20	4.3	4	Saline	15	53	8.6
64	Dunklin	35	114	5.5	102	Schuyler	1	3	4.0
84	Franklin	20	94	4.9	6	Scotland	1	3	8.0
106	Gasconade	20	9	3.9	88	Scott	33	59	4.7
102	Gentry	4	1	4.0	102	Shannon	37	2	4.0
33	Greene	31	209	6.4	80	Shelby	41	2	5.0
58	Grundy	3	11	5.6	15	St. Charles	11	229	7.2
47	Harrison	3	15	6.0	23	St. Clair	27	18	6.7
36	Henry	27	36	6.4	13	St. Francois	24	477	9.6
10	Hickory	30	6	7.7	1	Ste. Genevieve	24	24	5.7
16	Holt	4	8	7.1	40	St. Louis City	22	477	9.6
26	Howard	14	11	6.6	55	St. Louis Cnty	21	625	6.2
86	Howell	37	54	4.8	51	Stoddard	35	31	5.8
12	Iron	42	17	7.3	35	Stone	39	33	6.4
11	Jackson	16	362	7.5	71	Sullivan	9	5	5.4
25	Jasper	29	116	6.6	41	Taney	38	57	6.1
27	Jefferson	23	151	6.5	31	Texas	25	30	6.4
32	Johnson	17	65	6.4	73	Vernon	28	18	5.2
98	Knox	2	3	4.3	9	Warren	12	40	7.9
29	Laclede	26	61	6.5	43	Washington	24	44	6.1
53	Lafayette	15	88	5.8	47	Wayne	42	11	6.0
54	Lawrence	39	75	5.8	8	Webster	30	25	8.0
65	Lewis	2	4	5.5	17	Worth	4	1	7.0
39	Lincoln	45	43	6.2	83	Wright	44	43	4.9
6	Linn	9	10	8.0	<b>Statewide Average</b>				<b>6.3</b>

## Recidivism Two Years after Release to Parole or on Completion of Sentence

### BY CIRCUIT COURT

This chart shows the number and percent of offenders by court circuit who have been returned to prison for a new offense or a violation of supervision within two years of release. This includes offenders first released between July 1, 2008 and June 30, 2013. Recidivism was calculated using offender status on June 30, 2015. Ranking is in descending order, beginning with the highest percentage of offender returns within two years.

Rank	Circuit	Counties	Prison Releases	Incarcerated	Percent incarcerated within two years of release
1	37	Carter, Howell, Oregon, Shannon	396	185	47%
2	44	Douglas, Ozark, Wright	316	144	46%
3	36	Butler, Ripley	423	189	45%
4	31	Greene	1,219	511	42%
5	30	Benton, Dallas, Hickory, Polk, Webster	511	214	42%
6	27	Bates, Henry, St. Clair	243	100	41%
7	28	Barton, Cedar, Dade, Vernon	225	91	40%
8	38	Christian, Taney	557	224	40%
9	39	Barry, Lawrence, Stone	618	239	39%
10	19	Cole	398	153	38%
11	5	Andrew, Buchanan	1,285	492	38%
12	26	Camden, Laclede, Miller, Moniteau, Morgan	1,093	412	38%
13	2	Adair, Knox, Lewis	144	54	38%
14	9	Chariton, Linn, Sullivan	112	42	38%
15	33	Mississippi, Scott	543	200	37%
16	22	St. Louis City	2,993	1,098	37%
17	25	Maries, Phelps, Pulaski, Texas	520	189	36%
18	10	Marion, Monroe, Ralls	331	119	36%
19	45	Lincoln, Pike	398	143	36%
20	42	Crawford, Dent, Iron, Reynolds, Wayne	379	136	36%
21	7	Clay	752	264	35%
22	23	Jefferson	590	207	35%
23	17	Cass, Johnson	548	192	35%
24	24	Madison, St. Francois, Ste. Genevieve, Washington	912	319	35%
25	20	Franklin, Gasconade, Osage	348	121	35%
26	13	Boone, Callaway	1,328	461	35%
27	18	Cooper, Pettis	653	224	34%
28	21	St. Louis County	2,996	1,019	34%
29	43	Caldwell, Clinton, Daviess, DeKalb, Livingston	804	269	33%
30	34	New Madrid, Pemiscot	488	159	33%
31	4	Atchison, Gentry, Holt, Nodaway, Worth	206	67	33%
32	40	McDonald, Newton	336	108	32%
33	32	Bollinger, Cape Girardeau, Perry	630	202	32%
34	1	Clark, Schuyler, Scotland	100	32	32%
35	8	Carroll, Ray	161	51	32%
36	14	Howard, Randolph	253	80	32%
37	11	St. Charles	1,250	395	32%
38	29	Jasper	716	226	32%
39	16	Jackson	2,277	715	31%
40	35	Dunklin, Stoddard	557	174	31%
41	15	Lafayette, Saline	536	165	31%
42	6	Platte	356	108	30%
43	12	Audrain, Montgomery, Warren	408	122	30%
44	3	Grundy, Harrison, Mercer, Putnam	156	45	29%
45	41	Macon, Shelby	92	26	28%

Statewide  
Average  
35.4%

## BY SENTENCING COUNTY

This chart shows the number and percent of offenders by sentencing county who have been returned to prison for a new offense or a violation of supervision within two years of release. This includes offenders first released between July 1, 2008 and June 30, 2013. Recidivism was calculated using offender status on June 30, 2015. Ranking is in descending order, beginning with the highest percentage of offender returns within two years.

Ranking	County	Circuit	Incarcerated	Recidivism	Ranking	County	Circuit	Incarcerated	Recidivism
29	Adair	2	34	39.5%	21	Livingston	43	84	40.8%
62	Andrew	5	29	34.9%	106	Macon	41	17	27.4%
64	Atchison	4	12	34.3%	44	Madison	24	28	37.8%
57	Audrain	12	52	35.4%	41	Maries	25	13	38.2%
26	Barry	39	77	40.1%	37	Marion	10	98	38.6%
42	Barton	28	16	38.1%	78	McDonald	40	44	32.1%
53	Bates	27	23	35.9%	110	Mercer	3	6	26.1%
47	Benton	30	35	37.2%	46	Miller	26	73	37.6%
112	Bollinger	32	10	22.7%	69	Mississippi	33	61	33.5%
61	Boone	13	377	35.0%	16	Moniteau	26	28	42.4%
39	Buchanan	5	463	38.5%	109	Monroe	10	9	26.5%
13	Butler	36	151	44.2%	111	Montgomery	12	27	25.0%
108	Caldwell	43	25	26.9%	35	Morgan	26	45	38.8%
67	Callaway	13	85	33.9%	56	New Madrid	34	73	35.4%
68	Camden	26	119	33.5%	77	Newton	40	64	32.2%
70	Cape Girardeau	32	159	33.3%	81	Nodaway	4	32	31.7%
40	Carroll	8	15	38.5%	31	Oregon	37	18	39.1%
4	Carter	37	17	48.6%	98	Osage	20	8	29.6%
49	Cass	17	124	36.8%	20	Ozark	44	18	40.9%
27	Cedar	28	20	40.0%	89	Pemiscot	34	86	30.7%
58	Chariton	9	13	35.1%	96	Perry	32	33	29.7%
24	Christian	38	99	40.2%	54	Pettis	18	186	35.8%
72	Clark	1	23	32.9%	73	Phelps	25	59	32.6%
60	Clay	7	263	35.1%	34	Pike	45	46	39.0%
79	Clinton	43	61	32.1%	88	Platte	6	110	30.7%
36	Cole	19	153	38.6%	22	Polk	30	49	40.5%
102	Cooper	18	38	28.4%	32	Pulaski	25	68	39.1%
18	Crawford	42	58	42.0%	114	Putnam	3	5	20.0%
115	Dade	28	4	17.4%	87	Ralls	10	14	31.1%
45	Dallas	30	40	37.7%	105	Randolph	14	55	27.8%
91	Daviess	43	43	30.5%	95	Ray	8	36	29.8%
76	Dekalb	43	56	32.2%	80	Reynolds	42	7	31.8%
100	Dent	42	25	29.4%	6	Ripley	36	38	46.9%
11	Douglas	44	38	45.2%	99	Saline	15	65	29.5%
82	Dunklin	35	113	31.7%	117	Schuyler	1	0	0.0%
55	Franklin	20	100	35.6%	52	Scotland	1	8	36.4%
93	Gasconade	20	13	30.2%	38	Scott	33	140	38.6%
104	Gentry	4	7	28.0%	14	Shannon	37	16	43.2%
17	Greene	31	521	42.1%	101	Shelby	41	9	29.0%
113	Grundy	3	11	21.6%	84	St. Charles	11	394	31.6%
15	Harrison	3	24	42.9%	2	St. Clair	27	23	52.3%
28	Henry	27	56	40.0%	48	St. Francois	24	190	36.8%
1	Hickory	30	24	54.5%	51	Ste. Genevieve	14	34	32.4%
90	Holt	4	11	30.6%	65	St. Louis City	22	1086	36.6%
10	Howard	14	25	45.5%	74	St. Louis Cnty	21	1032	34.2%
5	Howell	37	134	48.0%	94	Stoddard	35	61	30.2%
107	Iron	42	18	27.3%	25	Stone	39	70	40.2%
86	Jackson	16	714	31.4%	97	Sullivan	9	11	29.7%
83	Jasper	29	226	31.6%	33	Taney	38	116	39.1%
59	Jefferson	23	207	35.1%	43	Texas	25	49	38.0%
75	Johnson	17	68	32.2%	8	Vernon	28	49	46.2%
71	Knox	2	2	33.3%	103	Warren	12	43	28.1%
23	Laclede	26	147	40.4%	92	Washington	24	65	30.4%
85	Lafayette	15	100	31.5%	19	Wayne	42	28	41.8%
50	Lawrence	39	92	36.7%	12	Webster	30	65	45.1%
66	Lewis	2	17	34.0%	3	Worth	4	4	50.0%
63	Lincoln	45	97	34.6%	7	Wright	44	89	46.8%
9	Linn	9	17	45.9%	<b>Statewide average</b>				<b>35.4%</b>

## Recidivism after Two Years of Probation

### BY CIRCUIT COURT

This chart shows the number and percent of offenders by court circuit who have been incarcerated for a new offense or a violation of supervision in the first two years of probation.

This includes offenders first released between July 1, 2008 and June 30, 2013. Recidivism was calculated using offender status on June 30, 2015. Ranking is in descending order, beginning with the highest percentage of offender returns within two years.

Rank	Circuit	Counties	Probation Openings	Incarc.	Percent incarcerated within two years of start of probation
1	5	Andrew, Buchanan	1,905	739	38.8%
2	43	Caldwell, Clinton, Daviess, DeKalb, Livingston	705	271	38.4%
3	9	Chariton, Linn, Sullivan	307	108	35.2%
4	8	Carroll, Ray	477	162	34.0%
5	15	Lafayette, Saline	1,198	392	32.7%
6	7	Clay	1,173	380	32.4%
7	36	Butler, Ripley	909	289	31.8%
8	10	Marion, Monroe, Ralls	460	141	30.7%
9	14	Howard, Randolph	605	180	29.8%
10	44	Douglas, Ozark, Wright	617	180	29.2%
11	30	Benton, Dallas, Hickory, Polk, Webster	1,199	343	28.6%
12	24	Madison, St. Francois, Ste. Genevieve, Washington	1,994	556	27.9%
13	3	Grundy, Harrison, Mercer, Putnam	481	134	27.9%
14	37	Carter, Howell, Oregon, Shannon	859	237	27.6%
15	4	Atchison, Gentry, Holt, Nodaway, Worth	456	125	27.4%
16	35	Dunklin, Stoddard	1,293	342	26.5%
17	18	Cooper, Pettis	742	190	25.6%
18	13	Boone, Callaway	2,834	685	24.2%
19	32	Bollinger, Cape Girardeau, Perry	1,381	332	24.0%
20	26	Camden, Laclede, Miller, Moniteau, Morgan	2,192	526	24.0%
21	25	Maries, Phelps, Pulaski, Texas	1,775	420	23.7%
22	38	Christian, Taney	1,785	404	22.6%
23	42	Crawford, Dent, Iron, Reynolds, Wayne	1,262	285	22.6%
24	31	Greene	3,650	792	21.7%
25	41	Macon, Shelby	293	62	21.2%
26	19	Cole	914	193	21.1%
27	27	Bates, Henry, St. Clair	887	187	21.1%
28	34	New Madrid, Pemiscot	1,154	243	21.1%
29	29	Jasper	1,463	301	20.6%
30	17	Cass, Johnson	1,327	273	20.6%
31	39	Barry, Lawrence, Stone	1,603	328	20.5%
32	28	Barton, Cedar, Dade, Vernon	761	149	19.6%
33	33	Mississippi, Scott	1,293	253	19.6%
34	40	McDonald, Newton	787	153	19.4%
35	12	Audrain, Montgomery, Warren	1,353	260	19.2%
36	45	Lincoln, Pike	1,055	197	18.7%
37	22	St. Louis City	7,376	1,376	18.7%
38	1	Clark, Schuyler, Scotland	220	39	17.7%
39	23	Jefferson	2,424	427	17.6%
40	6	Platte	659	116	17.6%
41	2	Adair, Knox, Lewis	542	94	17.3%
42	11	St. Charles	3,583	584	16.3%
43	20	Franklin, Gasconade, Osage	1,554	238	15.3%
44	21	St. Louis County	10,332	1,501	14.5%
45	16	Jackson	6,251	732	11.7%

Statewide Average  
20.9%

## BY SENTENCING COUNTY

This chart shows the number and percent of offenders by court circuit who have been incarcerated for a new offense or a violation of supervision in the first two years of probation.

This includes offenders first released between July 1, 2008 and June 30, 2013. Recidivism was calculated using offender status on June 30, 2015.

Ranking	County	Circuit	Incarcerated	Recidivism	Ranking	County	Circuit	Incarcerated	Recidivism
97	Adair	2	68	17.8%	6	Livingston	43	74	38.9%
47	Andrew	5	28	25.5%	78	Macon	41	46	21.3%
85	Atchison	4	17	20.2%	39	Madison	24	48	27.1%
64	Audrain	12	102	23.4%	58	Maries	25	23	24.2%
91	Barry	39	121	19.6%	18	Marion	10	100	31.8%
108	Barton	28	26	16.4%	88	McDonald	40	54	19.9%
113	Bates	27	45	14.1%	49	Mercer	3	16	25.4%
21	Benton	30	56	30.8%	81	Miller	26	111	20.9%
53	Bollinger	32	33	25.0%	93	Mississippi	33	54	19.1%
55	Boone	13	567	24.7%	36	Moniteau	26	34	27.6%
4	Buchanan	5	711	39.6%	40	Monroe	10	20	27.0%
15	Butler	36	229	32.5%	110	Montgomery	12	45	16.0%
1	Caldwell	43	36	48.6%	76	Morgan	26	70	21.5%
73	Callaway	13	118	21.9%	69	New Madrid	34	123	22.3%
61	Camden	26	150	23.6%	92	Newton	40	100	19.1%
56	Cape Girardeau	32	219	24.7%	30	Nodaway	4	73	28.6%
11	Carroll	8	39	33.6%	42	Oregon	37	27	26.2%
25	Carter	37	15	29.4%	62	Osage	20	19	23.5%
86	Cass	17	152	20.2%	31	Ozark	44	32	28.6%
57	Cedar	28	50	24.6%	87	Pemiscot	34	120	19.9%
19	Chariton	9	28	31.5%	70	Perry	32	80	22.1%
65	Christian	38	200	23.4%	28	Pettis	18	128	28.8%
107	Clark	1	21	16.4%	67	Phelps	25	195	22.6%
16	Clay	7	380	32.4%	77	Pike	45	69	21.4%
9	Clinton	43	67	34.9%	102	Platte	6	116	17.6%
79	Cole	19	192	21.1%	22	Polk	30	133	30.0%
80	Cooper	18	63	21.1%	44	Pulaski	25	132	25.8%
89	Crawford	42	106	19.8%	72	Putnam	3	20	22.0%
45	Dade	28	23	25.6%	24	Ralls	10	21	29.6%
29	Dallas	30	49	28.7%	35	Randolph	14	139	27.8%
7	Daviess	43	52	38.2%	13	Ray	8	122	33.5%
8	Dekalb	43	42	37.5%	59	Reynolds	42	22	24.2%
50	Dent	42	72	25.2%	26	Ripley	36	60	29.1%
46	Douglas	44	48	25.5%	17	Saline	15	138	31.9%
48	Dunklin	35	206	25.4%	116	Schuyler	1	3	8.3%
112	Franklin	20	189	14.5%	96	Scotland	1	10	18.2%
95	Gasconade	20	30	18.5%	90	Scott	33	200	19.7%
23	Gentry	4	11	29.7%	63	Shannon	37	22	23.4%
75	Greene	31	792	21.7%	83	Shelby	41	16	20.8%
3	Grundy	3	57	40.1%	109	St. Charles	11	584	16.3%
66	Harrison	3	41	23.0%	104	St. Clair	27	19	16.8%
41	Henry	27	122	26.7%	34	St. Francois	24	302	28.0%
71	Hickory	30	17	22.1%	94	Ste. Genevieve	14	80	26.1%
10	Holt	4	22	33.8%	111	St. Louis City	22	1,374	18.6%
5	Howard	14	41	39.4%	43	St. Louis Cnty	21	1,503	14.5%
32	Howell	37	173	28.5%	33	Stoddard	35	136	28.4%
60	Iron	42	32	23.7%	105	Stone	39	78	16.8%
115	Jackson	16	732	11.7%	2	Sullivan	9	38	42.2%
84	Jasper	29	302	20.6%	74	Taney	38	205	21.8%
101	Jefferson	23	427	17.6%	68	Texas	25	70	22.4%
82	Johnson	17	121	20.9%	106	Vernon	28	51	16.6%
54	Knox	2	5	25.0%	100	Warren	12	113	17.7%
37	Laclede	26	161	27.6%	27	Washington	24	126	28.8%
14	Lafayette	15	255	33.4%	51	Wayne	42	53	25.1%
52	Lawrence	39	126	25.1%	38	Webster	30	88	27.2%
99	Lewis	2	25	17.7%	114	Worth	4	2	13.3%
103	Lincoln	45	128	17.5%	20	Wright	44	100	31.2%
12	Linn	9	42	33.6%	<b>Statewide average</b>				<b>20.9%</b>

## Nonviolent Incarcerated Offenders

The following three charts show the numbers of offenders serving nonviolent offenses as a percentage of the incarcerated population on June 30, 2015. Overall, nearly 50% of the incarcerated population are serving nonviolent offenses, and there is considerable variation by circuit and sentencing county in the nonviolent percent of the incarcerated population.

Nonviolent offenses include property, drugs, DWI and less serious public order and weapon offenses. Excluded are homicide, robbery, assault, kidnapping, sex and child abuse offenses, class A and B weapon offenses and nonviolent offenses that require incarceration, such as DWI chronic and habitual offenders.

There is a continuing national debate on the appropriate numbers of nonviolent offenders who should be incarcerated. Nonviolent offenders may have committed crimes that have not endangered personal safety but nonviolent offenders generally have more criminal history and higher rates of recidivism.

The three measures developed for this report are:

1. Nonviolent offenders as a percent of the incarcerated population (47.7%)
2. Nonviolent offenders with no prior incarcerations as a percent of all incarcerated offenders with no prior incarcerations (27.3%).
3. Nonviolent offenders with no prior felony offenses as a percent of all incarcerated offenders with no prior felonies (21.6%).

Prior criminal history is calculated from the DOC offender database but does include criminal histories from other databases when entered by DOC records staff.

On June 30<sup>th</sup> 2015, the DOC had incarcerated 32,202 offenders of which 15,375 were serving a nonviolent offense (47.7%). Of those nonviolent offenders 1,950 had no prior incarcerations (6.1%) and 960 were serving their first felony sentence (3.0%).

### 1. Nonviolent offenders

The range by circuit is very wide from 73.2% for Circuit 15 (Lafayette and Saline) to 18% for Jackson County. The metropolitan counties have much lower percentages of nonviolent offenders.

### 2. No prior incarcerations

The range is also very wide from 52.2% for Circuit 15 (Lafayette and Saline) to 9.1% for Jackson County

### 3. No prior felonies

The range is from 52.3% for circuit 36 (Butler and Ripley) to 5.0% for circuit 19 (Cole).

# Nonviolent Offenders as Percentage of Incarcerated Population

## BY CIRCUIT COURT

Rank	Circuit Court	Counties	# in Prison	Percent Incarcerated
1	15	Lafayette, Saline	501	73.2%
2	10	Marion, Monroe, Ralls	224	68.9%
3	43	Caldwell, Clinton, Daviess, DeKalb, Livingston	366	67.9%
4	2	Adair, Knox, Lewis	103	67.8%
5	36	Butler, Ripley	265	67.6%
6	9	Chariton, Linn, Sullivan	95	67.4%
7	14	Howard, Randolph	219	66.8%
8	18	Cooper, Pettis	293	66.6%
9	8	Carroll, Ray	142	65.7%
10	41	Macon, Shelby	52	64.2%
11	1	Clark, Schuyler, Scotland	40	63.5%
12	3	Grundy, Harrison, Mercer, Putnam	120	63.2%
13	28	Barton, Cedar, Dade, Vernon	138	62.7%
14	26	Camden, Laclede, Miller, Moniteau, Morgan	571	62.5%
15	4	Atchison, Gentry, Holt, Nodaway, Worth	90	62.5%
16	44	Douglas, Ozark, Wright	160	62.0%
17	20	Franklin, Gasconade, Osage	270	61.4%
18	23	Jefferson	438	61.3%
19	42	Crawford, Dent, Iron, Reynolds, Wayne	303	61.0%
20	45	Lincoln, Pike	231	60.6%
21	5	Andrew, Buchanan	553	59.2%
22	30	Benton, Dallas, Hickory, Polk, Webster	301	59.0%
23	25	Maries, Phelps, Pulaski, Texas	428	59.0%
24	24	Madison, St. Francois, Ste. Genevieve, Washington	652	58.5%
25	35	Dunklin, Stoddard	351	58.2%
26	39	Barry, Lawrence, Stone	334	58.2%
27	11	St. Charles	696	57.7%
28	37	Carter, Howell, Oregon, Shannon	127	57.0%
29	12	Audrain, Montgomery, Warren	336	56.7%
30	38	Christian, Taney	313	56.5%
31	33	Mississippi, Scott	223	54.0%
32	17	Cass, Johnson	294	53.6%
33	19	Cole	216	53.5%
34	27	Bates, Henry, St. Clair	186	53.3%
35	7	Clay	395	52.6%
36	34	New Madrid, Pemiscot	225	52.3%
37	32	Bollinger, Cape Girardeau, Perry	260	51.1%
38	40	McDonald, Newton	124	50.4%
39	31	Greene	835	49.2%
40	6	Platte	177	48.9%
41	29	Jasper	238	47.0%
42	13	Boone, Callaway	549	47.0%
43	21	St. Louis County	1,038	33.5%
44	22	St. Louis City	1,373	29.7%
45	16	Jackson	530	18.0%
Total nonviolent prison population			15,375	

Statewide  
Average  
47.7%

# BY SENTENCING COUNTY

Ranking	County	Circuit	% Nonviolent	Ranking	County	Circuit	% Nonviolent
18	Adair	2	69.6%	6	Livingston	43	74.7%
42	Andrew	5	62.3%	30	Macon	41	66.1%
111	Atchison	4	40.0%	70	Madison	24	56.3%
87	Audrain	12	52.8%	59	Maries	25	59.1%
77	Barry	39	55.4%	14	Marion	10	70.6%
17	Barton	28	69.6%	88	McDonald	40	52.8%
103	Bates	27	47.6%	44	Mercer	3	61.8%
73	Benton	30	56.1%	11	Miller	26	71.5%
52	Bollinger	32	60.9%	108	Mississippi	33	44.9%
107	Boone	13	46.2%	82	Moniteau	26	54.5%
61	Buchanan	5	59.0%	72	Monroe	10	56.1%
27	Butler	36	67.2%	90	Montgomery	12	51.8%
1	Caldwell	43	79.1%	31	Morgan	26	65.9%
97	Callaway	13	49.8%	98	New Madrid	34	49.5%
85	Camden	26	53.2%	101	Newton	40	48.6%
104	Cape Girardeau	32	47.2%	45	Nodaway	4	61.7%
74	Carroll	8	56.1%	110	Oregon	37	40.9%
113	Carter	37	33.3%	94	Osage	20	50.0%
92	Cass	17	51.0%	36	Ozark	44	64.5%
50	Cedar	28	60.9%	80	Pemiscot	34	54.9%
49	Chariton	9	61.0%	38	Perry	32	64.2%
83	Christian	38	54.2%	24	Pettis	18	67.6%
78	Clark	1	55.2%	43	Phelps	25	62.1%
89	Clay	7	52.5%	48	Pike	45	61.3%
37	Clinton	43	64.2%	100	Platte	6	49.0%
86	Cole	19	53.1%	21	Polk	30	68.1%
40	Cooper	18	63.7%	84	Pulaski	25	53.9%
39	Crawford	42	64.0%	95	Putnam	3	50.0%
8	Dade	28	73.3%	13	Ralls	10	71.4%
58	Dallas	30	59.5%	29	Randolph	14	66.4%
19	Daviess	43	68.8%	16	Ray	8	70.0%
91	Dekalb	43	51.4%	109	Reynolds	42	42.4%
71	Dent	42	56.1%	15	Ripley	36	70.5%
93	Douglas	44	50.7%	10	Saline	15	72.8%
81	Dunklin	35	54.8%	2	Schuyler	1	77.8%
41	Franklin	20	62.9%	9	Scotland	1	73.3%
68	Gasconade	20	57.1%	62	Scott	33	58.5%
4	Gentry	4	75.0%	22	Shannon	37	68.0%
99	Greene	31	49.4%	57	Shelby	41	60.0%
26	Grundy	3	67.2%	66	St. Charles	11	57.6%
34	Harrison	3	65.1%	102	St. Clair	27	48.1%
67	Henry	27	57.5%	64	Ste. Genevieve	24	65.2%
106	Hickory	30	46.4%	114	St. Francois	24	58.4%
3	Holt	4	77.4%	112	St. Louis City	22	29.7%
20	Howard	14	68.4%	33	St. Louis Cnty	21	33.4%
56	Howell	37	60.0%	32	Stoddard	35	65.5%
51	Iron	42	60.9%	76	Stone	39	55.6%
115	Jackson	16	18.0%	5	Sullivan	9	75.0%
105	Jasper	29	47.0%	63	Taney	38	58.5%
47	Jefferson	23	61.4%	60	Texas	25	59.0%
69	Johnson	17	56.4%	65	Vernon	28	57.6%
12	Knox	2	71.4%	46	Warren	12	61.5%
35	Laclede	26	64.8%	79	Washington	24	55.1%
7	Lafayette	15	73.7%	28	Wayne	42	67.2%
53	Lawrence	39	60.8%	75	Webster	30	55.7%
54	Lewis	2	60.7%	96	Worth	4	50.0%
55	Lincoln	45	60.1%	25	Wright	44	67.2%
23	Linn	9	67.6%	Statewide average			47.7%

## Nonviolent Offenders with No Prior Incarcerations

### BY CIRCUIT COURT

Rank	Circuit Court	Counties	# in Prison	Percent Incarcerated
1	15	Lafayette, Saline	69	52.7%
2	36	Butler, Ripley	48	52.2%
3	43	Caldwell, Clinton, Daviess, DeKalb, Livingston	59	48.0%
4	9	Chariton, Linn, Sullivan	14	43.8%
5	28	Barton, Cedar, Dade, Vernon	17	42.5%
6	35	Dunklin, Stoddard	50	41.3%
7	41	Macon, Shelby	7	41.2%
8	4	Atchison, Gentry, Holt, Nodaway, Worth	15	40.5%
9	8	Carroll, Ray	16	40.0%
10	39	Barry, Lawrence, Stone	66	39.8%
11	30	Benton, Dallas, Hickory, Polk, Webster	53	39.0%
12	1	Clark, Schuyler, Scotland	7	38.9%
13	20	Franklin, Gasconade, Osage	42	38.9%
14	23	Jefferson	62	38.8%
15	10	Marion, Monroe, Ralls	20	38.5%
16	24	Madison, St. Francois, Ste. Genevieve, Washington	123	38.4%
17	25	Maries, Phelps, Pulaski, Texas	66	37.7%
18	42	Crawford, Dent, Iron, Reynolds, Wayne	46	37.7%
19	14	Howard, Randolph	14	35.9%
20	26	Camden, Laclede, Miller, Moniteau, Morgan	64	35.4%
21	44	Douglas, Ozark, Wright	22	34.9%
22	2	Adair, Knox, Lewis	9	34.6%
23	38	Christian, Taney	47	34.6%
24	34	New Madrid, Pemiscot	35	34.3%
25	45	Lincoln, Pike	28	33.7%
26	5	Andrew, Buchanan	68	33.7%
27	3	Grundy, Harrison, Mercer, Putnam	10	33.3%
28	37	Carter, Howell, Oregon, Shannon	20	32.8%
29	6	Platte	33	32.7%
30	7	Clay	56	31.8%
31	18	Cooper, Pettis	22	31.4%
32	33	Mississippi, Scott	30	30.9%
33	27	Bates, Henry, St. Clair	27	30.7%
34	11	St. Charles	82	29.7%
35	17	Cass, Johnson	43	29.7%
36	29	Jasper	37	24.0%
37	31	Greene	77	23.8%
38	32	Bollinger, Cape Girardeau, Perry	28	23.1%
39	13	Boone, Callaway	44	22.3%
40	12	Audrain, Montgomery, Warren	20	22.0%
41	19	Cole	14	20.6%
42	21	St. Louis County	152	19.5%
43	40	McDonald, Newton	14	19.2%
44	22	St. Louis City	99	13.2%
45	16	Jackson	75	9.1%
Total nonviolent prison population			1,950	

Statewide  
Average  
27.3%

## BY SENTENCING COUNTY

Ranking	County	Circuit	% Nonviolent	Ranking	County	Circuit	% Nonviolent
86	Adair	2	28.6%	13	Livingston	43	52.9%
57	Andrew	5	35.3%	33	Macon	41	41.7%
111	Atchison	4	14.3%	101	Madison	24	22.2%
110	Audrain	12	15.4%	30	Maries	25	42.9%
88	Barry	39	27.6%	29	Marion	10	44.1%
15	Barton	28	50.0%	108	McDonald	40	17.2%
98	Bates	27	22.7%	3	Mercer	3	75.0%
49	Benton	30	37.5%	17	Miller	26	50.0%
90	Bollinger	32	26.7%	56	Mississippi	33	35.5%
102	Boone	13	22.1%	18	Moniteau	26	50.0%
62	Buchanan	5	33.5%	105	Monroe	10	20.0%
28	Butler	36	45.5%	87	Montgomery	12	27.8%
12	Caldwell	43	52.9%	38	Morgan	26	40.0%
97	Callaway	13	23.3%	53	New Madrid	34	36.0%
79	Camden	26	30.6%	104	Newton	40	20.5%
107	Cape Girardeau	32	18.5%	46	Nodaway	4	38.9%
76	Carroll	8	31.3%	65	Oregon	37	33.3%
112	Carter	37	14.3%	39	Osage	20	40.0%
89	Cass	17	26.7%	10	Ozark	44	57.1%
63	Cedar	28	33.3%	70	Pemiscot	34	32.7%
109	Chariton	9	16.7%	19	Perry	32	50.0%
84	Christian	38	29.2%	75	Pettis	18	31.5%
99	Clark	1	22.2%	48	Phelps	25	37.8%
73	Clay	7	32.0%	26	Pike	45	45.8%
23	Clinton	43	48.4%	71	Platte	6	32.7%
103	Cole	19	20.6%	22	Polk	30	48.5%
64	Cooper	18	33.3%	43	Pulaski	25	39.2%
55	Crawford	42	35.6%	66	Putnam	3	33.3%
8	Dade	28	60.0%	51	Ralls	10	37.5%
45	Dallas	30	38.9%	60	Randolph	14	34.3%
11	Davies	43	55.6%	27	Ray	8	45.8%
50	Dekalb	43	37.5%	67	Reynolds	42	33.3%
44	Dent	42	39.1%	4	Ripley	36	69.2%
91	Douglas	44	26.1%	7	Saline	15	60.8%
32	Dunklin	35	41.8%	20	Schuyler	1	50.0%
36	Franklin	20	41.1%	21	Scotland	1	50.0%
114	Gasconade	20	10.0%	81	Scott	33	29.9%
9	Gentry	4	60.0%	40	Shannon	37	40.0%
95	Greene	31	24.0%	41	Shelby	41	40.0%
92	Grundy	3	25.0%	82	St. Charles	11	29.7%
100	Harrison	3	22.2%	68	St. Clair	27	33.3%
59	Henry	27	34.6%	37	Ste. Genevieve	24	36.7%
80	Hickory	30	30.0%	113	St. Francois	24	40.9%
2	Holt	4	75.0%	106	St. Louis City	22	13.1%
16	Howard	14	50.0%	52	St. Louis Cnty	21	19.6%
61	Howell	37	34.1%	31	Stoddard	35	41.9%
25	Iron	42	45.8%	14	Stone	39	52.2%
115	Jackson	16	9.0%	93	Sullivan	9	25.0%
94	Jasper	29	24.0%	42	Taney	38	39.4%
47	Jefferson	23	38.8%	74	Texas	25	31.6%
72	Johnson	17	32.2%	35	Vernon	28	41.2%
1	Knox	2	100.0%	96	Warren	12	23.4%
83	Laclede	26	29.5%	58	Washington	24	34.8%
24	Lafayette	15	47.5%	77	Wayne	42	31.3%
34	Lawrence	39	41.3%	54	Webster	30	36.0%
5	Lewis	2	66.7%	69	Worth	4	33.3%
85	Lincoln	45	28.8%	78	Wright	44	30.8%
6	Linn	9	61.1%	<b>Statewide average</b>			<b>27.3%</b>

## Nonviolent Offenders with No Prior Felony Convictions

### BY CIRCUIT COURT

Rank	Circuit Court	Counties	# in Prison	Percent Incarcerated
1	36	Butler, Ripley	34	52.3%
2	9	Chariton, Linn, Sullivan	12	50.0%
3	15	Lafayette, Saline	38	47.5%
4	43	Caldwell, Clinton, Daviess, DeKalb, Livingston	33	44.0%
5	10	Marion, Monroe, Ralls	15	40.5%
6	35	Dunklin, Stoddard	29	37.2%
7	20	Franklin, Gasconade, Osage	25	35.7%
8	4	Atchison, Gentry, Holt, Nodaway, Worth	9	33.3%
9	23	Jefferson	33	33.3%
10	30	Benton, Dallas, Hickory, Polk, Webster	28	32.2%
11	5	Andrew, Buchanan	42	31.8%
12	37	Carter, Howell, Oregon, Shannon	13	31.7%
13	24	Madison, St. Francois, Ste. Genevieve, Washington	63	31.7%
14	1	Clark, Schuyler, Scotland	4	30.8%
15	17	Cass, Johnson	31	29.8%
16	6	Platte	21	29.6%
17	34	New Madrid, Pemiscot	17	29.3%
18	39	Barry, Lawrence, Stone	28	28.9%
19	26	Camden, Laclede, Miller, Moniteau, Morgan	29	27.6%
20	44	Douglas, Ozark, Wright	11	27.5%
21	8	Carroll, Ray	7	26.9%
22	28	Barton, Cedar, Dade, Vernon	7	26.9%
23	25	Maries, Phelps, Pulaski, Texas	27	26.2%
24	42	Crawford, Dent, Iron, Reynolds, Wayne	18	26.1%
25	27	Bates, Henry, St. Clair	13	25.5%
26	18	Cooper, Pettis	10	25.0%
27	45	Lincoln, Pike	12	24.5%
28	7	Clay	29	23.8%
29	11	St. Charles	40	22.3%
30	14	Howard, Randolph	4	22.2%
31	41	Macon, Shelby	2	22.2%
32	38	Christian, Taney	17	21.3%
33	3	Grundy, Harrison, Mercer, Putnam	4	21.1%
34	31	Greene	40	18.7%
35	32	Bollinger, Cape Girardeau, Perry	14	18.7%
36	13	Boone, Callaway	23	17.2%
37	33	Mississippi, Scott	7	14.6%
38	2	Adair, Knox, Lewis	2	14.3%
39	12	Audrain, Montgomery, Warren	9	14.1%
40	29	Jasper	13	13.1%
41	40	McDonald, Newton	6	13.0%
42	21	St. Louis County	56	12.0%
43	16	Jackson	50	8.9%
44	22	St. Louis City	33	8.2%
45	19	Cole	2	5.0%
Total nonviolent prison population			960	

Statewide  
Average  
21.6%

## BY SENTENCING COUNTY

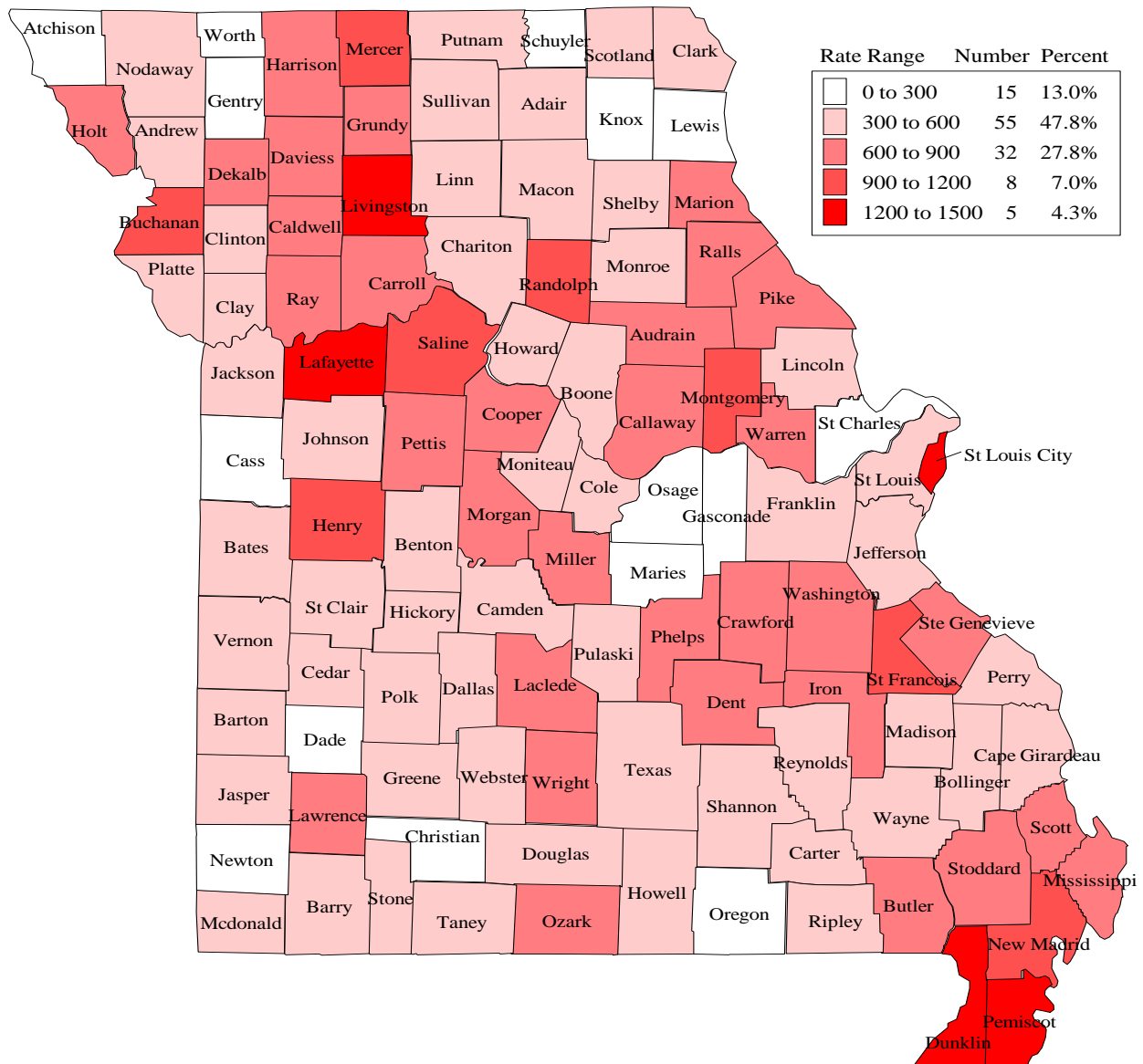
Ranking	County	Circuit	% Nonviolent	Ranking	County	Circuit	% Nonviolent
91	Adair	2	15.4%	88	Livingston	43	47.1%
26	Andrew	5	37.5%	41	Macon	41	28.6%
106	Atchison	4	0.0%	9	Madison	24	16.7%
98	Audrain	12	13.0%	96	Maries	25	33.3%
65	Barry	39	24.2%	10	Marion	10	50.0%
4	Barton	28	50.0%	32	McDonald	40	14.3%
76	Bates	27	21.4%	86	Mercer	3	50.0%
27	Benton	30	37.5%	11	Miller	26	36.4%
107	Bollinger	32	0.0%	79	Mississippi	33	17.6%
85	Boone	13	17.8%	80	Moniteau	26	50.0%
46	Buchanan	5	31.5%	33	Monroe	10	20.0%
19	Butler	36	43.5%	56	Montgomery	12	20.0%
18	Caldwell	43	46.2%	101	Morgan	26	36.4%
92	Callaway	13	14.8%	24	New Madrid	34	27.6%
61	Camden	26	25.6%	42	Newton	40	12.0%
83	Cape Girardeau	32	19.0%	12	Nodaway	4	38.5%
57	Carroll	8	27.3%	13	Oregon	37	33.3%
108	Carter	37	0.0%	45	Osage	20	50.0%
49	Cass	17	28.8%	30	Ozark	44	50.0%
87	Cedar	28	16.7%	75	Pemiscot	34	32.1%
62	Chariton	9	25.0%	77	Perry	32	37.5%
82	Christian	38	19.0%	17	Pettis	18	21.9%
94	Clark	1	14.3%	48	Phelps	25	20.9%
66	Clay	7	24.0%	20	Pike	45	46.7%
5	Clinton	43	50.0%	36	Platte	6	29.6%
105	Cole	19	5.0%	53	Polk	30	41.7%
21	Cooper	18	40.0%	89	Pulaski	25	34.1%
58	Crawford	42	26.7%	81	Putnam	3	28.6%
6	Dade	28	50.0%	60	Ralls	10	16.7%
50	Dallas	30	28.6%	54	Randolph	14	20.0%
37	Daviess	43	33.3%	1	Ray	8	26.7%
31	Dekalb	43	36.8%	3	Reynolds	42	28.6%
71	Dent	42	22.2%	14	Ripley	36	73.7%
63	Douglas	44	25.0%	99	Saline	15	60.6%
23	Dunklin	35	39.2%	15	Schuyler	1	-
28	Franklin	20	37.5%	111	Scotland	1	50.0%
109	Gasconade	20	0.0%	70	Scott	33	12.5%
7	Gentry	4	50.0%	72	Shannon	37	50.0%
84	Greene	31	18.8%	34	Shelby	41	0.0%
110	Grundy	3	0.0%	104	St. Charles	11	22.3%
95	Harrison	3	14.3%	100	St. Clair	27	22.2%
51	Henry	27	28.6%	43	Ste. Genevieve	24	33.3%
29	Hickory	30	37.5%	35	St. Francois	24	36.3%
8	Holt	4	50.0%	22	St. Louis City	22	8.0%
38	Howard	14	33.3%	55	St. Louis Cnty	21	12.2%
39	Howell	37	33.3%	67	Stoddard	35	35.7%
59	Iron	42	26.7%	90	Stone	39	39.3%
103	Jackson	16	8.8%	112	Sullivan	9	28.6%
97	Jasper	29	13.1%	102	Taney	38	23.7%
40	Jefferson	23	33.3%	73	Texas	25	16.7%
47	Johnson	17	30.4%	74	Vernon	28	0.0%
69	Knox	2	-	78	Warren	12	11.5%
25	Laclede	26	22.5%	44	Washington	24	22.2%
64	Lafayette	15	38.3%	68	Wayne	42	22.2%
93	Lawrence	39	24.3%	113	Webster	30	20.8%
2	Lewis	2	-	114	Worth	4	33.3%
16	Lincoln	45	14.7%	115	Wright	44	22.7%
52	Linn	9	69.2%	<b>Statewide average</b>			<b>21.6%</b>

### 3. INCARCERATION AND FELONY SENTENCING RATES

Incarceration and sentencing rates are similar measures that compare counties by excluding the effect of population size. The incarceration rate is used to measure the seriousness of crime because it is counting the number of offenders in prison, while the sentencing rate measures the total amount of crime, including offenders who receive a probation or prison sentence

Incarceration rate is the number of incarcerations per 100,000 general population. This map of Missouri counties is shaded by range of incarceration rates as of June 30, 2015. The legend includes number and percent of counties falling within each range. The table following includes prison population, county population estimates, incarceration rate and county rank.

**Missouri County Incarceration Rate**



Incarcerated population, incarceration rate and general population by Missouri county as of June 30, 2015. Ranking is based on incarceration rate.

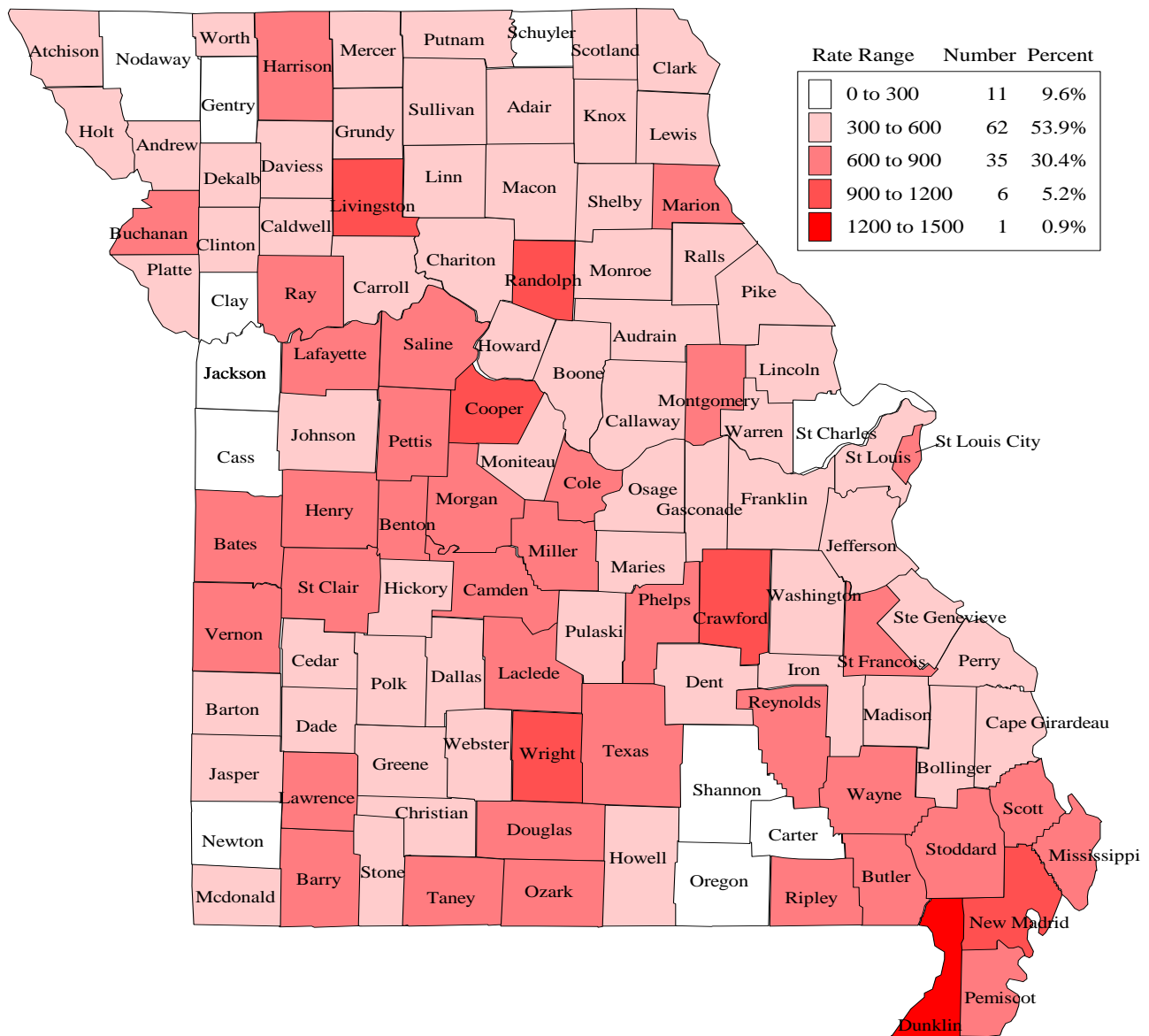
County	Rank	Prison Population	Population Estimate	Incarceration Rate	County	Rank	Prison Population	Population Estimate	Incarceration Rate
Adair	75	115	25,602	449	Livingston	2	194	15,053	1,289
Andrew	98	53	17,379	305	Macon	90	56	15,479	362
Atchison	105	15	5,382	279	Madison	49	71	12,368	574
Audrain	25	195	25,887	753	Maries	108	22	9,013	244
Barry	59	186	35,662	522	Marion	23	221	28,920	764
Barton	69	56	12,057	464	McDonald	67	108	22,800	474
Bates	64	82	16,584	494	Mercer	13	34	3,719	914
Benton	50	107	18,806	569	Miller	29	186	25,141	740
Bollinger	89	47	12,394	379	Mississippi	15	127	14,232	892
Boone	60	899	172,717	521	Moniteau	84	66	15,856	416
Buchanan	11	882	89,486	986	Monroe	68	41	8,707	471
Butler	21	332	42,972	773	Montgomery	12	114	11,841	963
Caldwell	28	67	9,034	742	Morgan	40	132	20,240	652
Callaway	45	269	44,750	601	New Madrid	7	216	18,272	1,182
Camden	51	248	44,021	563	Newton	109	140	58,598	239
Cape Girardeau	65	379	78,043	486	Nodaway	92	81	23,081	351
Carroll	31	66	9,043	730	Oregon	112	22	10,911	202
Carter	93	21	6,258	336	Osage	110	32	13,703	234
Cass	102	298	100,889	295	Ozark	39	62	9,492	653
Cedar	72	64	13,952	459	Pemiscot	5	213	17,650	1,207
Chariton	57	41	7,694	533	Perry	83	81	19,202	422
Christian	106	227	82,101	276	Pettis	26	318	42,225	753
Clark	79	30	6,917	434	Phelps	24	340	44,847	758
Clay	95	748	233,682	320	Pike	30	137	18,541	739
Clinton	56	109	20,299	537	Platte	88	361	94,788	381
Cole	58	402	76,557	525	Polk	77	138	31,054	444
Cooper	33	124	17,585	705	Pulaski	73	245	53,436	458
Crawford	16	214	24,650	868	Putnam	48	28	4,829	580
Dade	113	15	7,628	197	Ralls	34	71	10,255	692
Dallas	66	79	16,389	482	Randolph	8	272	25,072	1,085
Daviess	22	64	8,297	771	Ray	38	150	22,949	654
Dekalb	19	105	12,692	827	Reynolds	61	33	6,565	503
Dent	43	98	15,655	626	Ripley	78	61	13,969	437
Douglas	55	73	13,546	539	Saline	6	276	23,347	1,182
Dunklin	3	400	31,344	1,276	Schuyler	111	9	4,370	206
Franklin	91	367	102,084	360	Scotland	97	15	4,863	308
Gasconade	104	42	14,866	283	Scott	27	289	38,903	743
Gentry	115	8	6,826	117	Shannon	100	25	8,329	300
Greene	47	1,700	285,865	595	Shelby	85	25	6,108	409
Grundy	42	64	10,197	628	St. Charles	101	1,135	379,493	299
Harrison	32	63	8,639	729	St. Clair	54	52	9,457	550
Henry	10	219	22,028	994	St. Francois	9	706	65,960	1,070
Hickory	99	28	9,219	304	St. Louis	96	3,128	1,001,876	312
Holt	36	31	4,516	686	St. Louis City	1	4,605	317,419	1,451
Howard	52	57	10,159	561	Ste. Genevieve	44	112	17,914	625
Howell	87	155	40,173	386	Stoddard	35	206	29,867	690
Iron	18	87	10,267	847	Stone	70	144	31,104	463
Jackson	81	2,935	683,191	430	Sullivan	62	32	6,411	499
Jasper	80	507	117,543	431	Taney	46	325	54,230	599
Jefferson	94	714	222,716	321	Texas	74	117	25,642	456
Johnson	71	250	54,362	460	Vernon	86	85	21,001	405
Knox	114	7	4,000	175	Warren	17	286	33,253	860
Laclede	20	281	35,439	793	Washington	14	225	25,077	897
Lafayette	4	411	32,688	1,257	Wayne	63	67	13,452	498
Lawrence	41	245	38,023	644	Webster	82	158	36,888	428
Lewis	107	28	10,138	276	Worth	103	6	2,073	289
Lincoln	76	243	54,249	448	Wright	37	122	18,291	667
Linn	53	68	12,311	552	Total*		32,143	6,063,589	530.1

Population Source: US Census Bureau, Population Division, file name: PEP\_2014\_PEPANNRES

Note: With each new issue of July 1 estimates, the census revise estimates for years back to the last census. Previously published estimates are superseded. Offender populations exclude out of state offenders.

Felony sentencing rate is number of sentences per 100,000 general population. This map of Missouri counties is shaded by range of felony sentencing rates as of June 30, 2015. The legend includes number and percent of counties falling within each range. The table following includes number of felony sentences, county population estimates, sentencing rate and county rank.

## Missouri County Felony Sentencing Rate



Number of felony sentences, felony sentencing rate and general population by Missouri county as of June 30, 2015. Ranking is based on felony sentencing rate.

County	Rank	Felony Sentences	Population Estimate	Sentencing Rate	County	Rank	Felony Sentences	Population Estimate	Sentencing Rate
Adair	75	114	25,602	445	Livingston	3	154	15,053	1,023
Andrew	103	55	17,379	316	Macon	59	82	15,479	530
Atchison	101	18	5,382	334	Madison	89	47	12,368	380
Audrain	47	150	25,887	579	Maries	79	39	9,013	433
Barry	23	245	35,662	687	Marion	34	186	28,920	643
Barton	62	63	12,057	523	McDonald	70	107	22,800	469
Bates	32	108	16,584	651	Mercer	44	22	3,719	592
Benton	19	135	18,806	718	Miller	12	213	25,141	847
Bollinger	76	55	12,394	444	Mississippi	38	88	14,232	618
Boone	88	685	172,717	397	Moniteau	61	83	15,856	523
Buchanan	28	591	89,486	660	Monroe	84	36	8,707	413
Butler	40	260	42,972	605	Montgomery	20	85	11,841	718
Caldwell	50	50	9,034	553	Morgan	18	152	20,240	751
Callaway	52	244	44,750	545	New Madrid	4	180	18,272	985
Camden	41	265	44,021	602	Newton	107	170	58,598	290
Cape Girardeau	63	405	78,043	519	Nodaway	105	69	23,081	299
Carroll	71	42	9,043	464	Oregon	109	29	10,911	266
Carter	115	7	6,258	112	Osage	99	47	13,703	343
Cass	106	293	100,889	290	Ozark	42	57	9,492	601
Cedar	82	59	13,952	423	Pemiscot	8	157	17,650	890
Chariton	93	28	7,694	364	Perry	60	101	19,202	526
Christian	83	341	82,101	415	Pettis	27	281	42,225	665
Clark	102	23	6,917	333	Phelps	10	390	44,847	870
Clay	112	508	233,682	217	Pike	43	110	18,541	593
Clinton	95	73	20,299	360	Platte	92	350	94,788	369
Cole	24	519	76,557	678	Polk	55	168	31,054	541
Cooper	2	193	17,585	1,098	Pulaski	51	295	53,436	552
Crawford	5	239	24,650	970	Putnam	64	24	4,829	497
Dade	73	35	7,628	459	Ralls	65	50	10,255	488
Dallas	48	94	16,389	574	Randolph	7	226	25,072	901
Daviess	57	44	8,297	530	Ray	33	149	22,949	649
Dekalb	49	72	12,692	567	Reynolds	37	41	6,565	625
Dent	46	92	15,655	588	Ripley	30	92	13,969	659
Douglas	36	85	13,546	627	Saline	14	186	23,347	797
Dunklin	1	416	31,344	1,327	Schuyler	111	11	4,370	252
Franklin	86	411	102,084	403	Scotland	80	21	4,863	432
Gasconade	94	54	14,866	363	Scott	26	261	38,903	671
Gentry	114	12	6,826	176	Shannon	113	17	8,329	204
Greene	74	1,308	285,865	458	Shelby	77	27	6,108	442
Grundy	78	45	10,197	441	St. Charles	108	1,067	379,493	281
Harrison	15	68	8,639	787	St. Clair	21	66	9,457	698
Henry	17	166	22,028	754	St. Francois	29	435	65,960	659
Hickory	87	37	9,219	401	St. Louis	100	3,362	1,001,876	336
Holt	56	24	4,516	531	St. Louis City	39	1,954	317,419	616
Howard	81	43	10,159	423	Ste. Genevieve	58	95	17,914	530
Howell	53	219	40,173	545	Stoddard	11	256	29,867	857
Iron	69	49	10,267	477	Stone	54	169	31,104	543
Jackson	110	1,796	683,191	263	Sullivan	91	24	6,411	374
Jasper	85	481	117,543	409	Taney	31	356	54,230	656
Jefferson	97	775	222,716	348	Texas	22	178	25,642	694
Johnson	90	204	54,362	375	Vernon	25	141	21,001	671
Knox	104	12	4,000	300	Warren	45	196	33,253	589
Laclede	13	286	35,439	807	Washington	67	122	25,077	487
Lafayette	9	288	32,688	881	Wayne	35	86	13,452	639
Lawrence	16	292	38,023	768	Webster	72	171	36,888	464
Lewis	98	35	10,138	345	Worth	68	10	2,073	482
Lincoln	96	195	54,249	359	Wright	6	176	18,291	962
Linn	66	60	12,311	487	Total*		27,133	6,063,589	447

Population Source: US Census Bureau, Population Division, file name: PEP\_2014\_PEPANNRES

Note: With each new issue of July 1 estimates, the census revise estimates for years back to the last census. Previously published estimates are superseded. Offender populations exclude out of state offenders.

## 4. GEOGRAPHIC DISPARITY IN SENTENCING

When sentencing is grouped into three geographical areas based on population size (Metropolitan, Other First Class Counties and Rural), comparisons indicate that the greatest differences are between the metropolitan areas and the rest of the state. The metropolitan areas have the longest prison sentences but the lowest percentage of prison sentences. Rural counties have higher percentages of probation, shock and treatment sentences than First Class counties. Within the metro areas, Jackson County has the highest percentage of shock and treatment sentences and St. Louis City has both the highest average sentence and percent of prison sentences.

**New Sentencing and DOC Commitment, All Offenses, Fiscal 2015**

Circuits	Sentences	Percent Disposition			Ave. Sentence (yrs)
		Probation	Shock/ Treatment	Prison	
Jackson Cnty	1,783	67.8	11.5	20.8	7.6
St Louis Cnty	3,298	75.5	5.8	18.7	6.2
St. Louis City	1,781	68.6	4.0	27.3	9.5
Metro	6,862	71.7	6.8	21.5	7.6
First Class	8,805	63.4	11.0	25.7	6.1
Rural	10,517	64.3	11.6	24.1	5.8
Total	26,184	65.9	10.1	23.9	6.3

Metro: 16, 21, 2

First Class: 5, 6, 7, 11, 13, 17, 19, 20, 23, 26, 29, 31, 32

Rural: 1, 2, 3, 4, 8, 9, 10, 12, 14, 15, 18, 24, 25, 27, 28, 30, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45

The next three analyses by geographical area breakout the sentencing by offense group and felony class. The intent is to show that much of the apparent difference in sentencing is because of the type of crime and severity of the crime.

### Offense Group

Comparing the three geographical areas for similar offenses (offense group) reduces the disparity in prison sentences and sentence disposition, particularly for violent and sex offenses. However, the First Class counties and rural counties still sentenced more offenders to prison for drugs, DWI and nonviolent offenses than the metro areas, although the average prison sentences were similar. St. Louis City has the highest prison disposition for violent and sex offenses and is nearly equal to St. Louis County for drug offenses. Highest average sentences within the metro group also tend to occur in St. Louis City for all but DWI offenses.

### Offense Group and Felony Class for violent and sex offenses

The most detailed breakout reduces the differences the most. For violent class A offenses, the first class and rural counties had higher average sentences but similar dispositions to the metro areas. For class C and B violent felonies, the three geographical areas are similar in average sentence but St. Louis City and County made much less use of shock and treatment programs. St. Louis County had a lower average sentence for class A and unclassified sex offenses. The rural and first class counties were similar to Jackson County for class B sex offenses, but all regions were similar for class C sex offenses.

### New Sentencing and DOC Commitment By Offense Group, Fiscal 2015

Circuits	Sentences	Percent Disposition			Ave. Sentence (yrs)
		Probation	Shock/ Treatment	Prison	
<i>Violent</i>					
Jackson Cnty	362	39.0	14.4	46.7	10.1
St Louis Cnty	343	41.1	4.4	54.5	9.7
St. Louis City	347	30.5	3.2	66.3	12.1
Metro	1,052	36.9	7.4	55.7	10.7
First Class	913	44.7	12.5	42.8	9.3
Rural	1,035	55.2	11.6	33.2	7.8
Total Violent	3,000	45.6	10.4	44.0	9.5
<i>Sex</i>					
Jackson Cnty	50	40.0	8.0	52.0	14.2
St Louis Cnty	79	41.8	7.6	50.6	10.8
St. Louis City	69	26.1	7.2	66.7	15.6
Metro	198	35.9	7.6	56.6	13.6
First Class	344	40.1	8.7	51.2	11.8
Rural	434	38.5	16.4	45.2	10.4
Total Sex	976	38.5	11.9	49.6	11.6
<i>Drugs</i>					
Jackson Cnty	475	87.2	5.1	7.8	4.5
St Louis Cnty	1,063	80.9	7.1	11.9	4.0
St. Louis City	628	85.0	3.5	11.5	6.7
Metro	2,166	83.5	5.6	10.9	4.9
First Class	3,140	68.4	11.5	20.1	5.5
Rural	4,174	68.7	11.4	19.9	5.5
Total Drugs	9,480	72.0	10.1	17.9	5.6
<i>DWI</i>					
Jackson Cnty	156	65.4	26.3	8.3	5.2
St Louis Cnty	245	82.0	11.8	6.1	5.2
St. Louis City	8	87.5	12.5	-	-
Metro	409	75.8	17.4	6.8	5.2
First Class	782	71.6	15.3	13.0	5.5
Rural	681	61.5	21.0	17.5	4.7
Total DWI	1,872	68.9	17.8	13.3	5.1
<i>Non-Violent</i>					
Jackson Cnty	740	71.8	11.4	16.9	3.9
St Louis Cnty	1,568	80.0	4.2	15.8	4.0
St. Louis City	729	76.4	4.5	19.1	4.6
Metro	3,037	77.1	6.0	16.8	4.1
First Class	3,626	64.1	9.4	26.5	4.1
Rural	4,193	65.3	9.8	24.8	4.2
Total Non-Violent	10,856	68.2	8.6	23.1	4.1
Total	26,184	65.9	10.1	23.9	6.3

Metro: 16, 21, 22

First Class: 5, 6, 7, 11, 13, 17, 19, 20, 23, 26, 29, 31, 32

Rural: 1, 2, 3, 4, 8, 9, 10, 12, 14, 15, 18, 24, 25, 27, 28, 30, 33, 34, 35, 36, 37, 38, 39,  
39, 40, 41, 42, 43, 44, 45

**New Sentencing and DOC Commitment By Felony Class, Fiscal 2015**  
**Violent Offenses**

Circuits	Sentences	Percent Disposition			Ave. Sentence (yrs)
		Probation	Shock/ Treatment	Prison	
<i>Class A</i>					
Jackson Cnty	70	18.6	1.4	80.0	16.8
St Louis Cnty	73	16.4	2.7	80.8	15.6
St. Louis City	139	13.7	0.7	85.6	16.5
Metro	282	15.6	1.4	83.0	16.3
First Class	119	18.5	1.7	79.8	19.0
Rural	60	13.3	5.0	81.7	20.0
Total Class A	461	16.1	2.0	82.0	17.5
<i>Class B</i>					
Jackson Cnty	116	31.0	17.2	51.7	8.1
St Louis Cnty	111	35.1	1.8	63.1	8.5
St. Louis City	112	33.0	4.5	62.5	8.6
Metro	339	33.0	8.0	59.0	8.4
First Class	173	25.4	17.9	56.6	8.8
Rural	150	34.7	14.0	51.3	8.0
Total Class B	662	31.4	11.9	56.6	8.4
<i>Class C</i>					
Jackson Cnty	170	52.9	15.9	31.2	5.3
St Louis Cnty	149	54.4	7.4	38.3	5.1
St. Louis City	91	50.5	5.5	44.0	5.3
Metro	410	52.9	10.5	36.6	5.2
First Class	570	54.9	13.5	31.6	5.0
Rural	768	62.6	12.1	25.3	5.1
Total Class C	1,748	57.8	12.2	30.0	5.1
<i>Class D</i>					
Jackson Cnty	6	33.3	66.7	-	-
St Louis Cnty	10	90.0	-	10.0	2.0
St. Louis City	5	80.0	-	20.0	4.0
Metro	21	71.4	19.0	9.5	3.0
First Class	51	56.9	7.8	35.3	3.1
Rural	57	52.6	5.3	42.1	3.3
Total Class D	129	57.4	8.5	34.1	3.2
Total	3,000	45.6	10.4	44.0	9.5

Metro: 16, 21, 22

First Class: 5, 6, 7, 11, 13, 17, 19, 20, 23, 26, 29, 31, 32

Rural: 1, 2, 3, 4, 8, 9, 10, 12, 14, 15, 18, 24, 25, 27, 28, 30, 33, 34, 35, 36, 37, 38,  
39, 40, 41, 42, 43, 44, 45

**New Sentencing and DOC Commitment By Felony Class, Fiscal 2015**  
**Sex Offenses**

Circuits	Sentences	Percent Disposition			Ave. Sentence (yrs)
		Probation	Shock/ Treatment	Prison	
<i>Class A and Unclassified</i>					
Jackson Cnty	16	6.3	-	93.8	19.6
St Louis Cnty	25	12.0	-	88.0	15.6
St. Louis City	33	3.0	3.0	93.9	19.8
Metro	74	6.8	1.4	91.9	18.4
First Class	79	3.8	-	96.2	17.8
Rural	76	10.5	3.9	85.5	17.5
Total Class A	229	7.0	1.7	91.3	17.9
<i>Class B</i>					
Jackson Cnty	4	-	50.0	50.0	10.0
St Louis Cnty	19	47.4	15.8	36.8	5.3
St. Louis City	10	30.0	10.0	60.0	8.8
Metro	33	36.4	18.2	45.5	7.3
First Class	79	30.4	13.9	55.7	10.2
Rural	90	22.2	24.4	53.3	10.0
Total Class B	202	27.7	19.3	53.0	9.7
<i>Class C</i>					
Jackson Cnty	30	63.3	6.7	30.0	6.0
St Louis Cnty	28	57.1	10.7	32.1	5.0
St. Louis City	25	52.0	12.0	36.0	5.6
Metro	83	57.8	9.6	32.5	5.5
First Class	168	60.7	10.1	29.2	5.3
Rural	238	50.8	17.6	31.5	5.2
Total Class C	489	55.4	13.7	30.9	5.3
<i>Class D</i>					
Jackson Cnty	-	-	-	-	-
St Louis Cnty	7	71.4	-	28.6	3.5
St. Louis City	1	100.0	-	-	-
Metro	8	75.0	-	25.0	3.5
First Class	18	50.0	11.1	38.9	3.3
Rural	30	60.0	13.3	26.7	3.5
Total Class D	56	58.9	10.7	30.4	3.4
Total	976	38.5	11.9	49.6	11.6

Metro: 16, 21, 22

First Class: 5, 6, 7, 11, 13, 17, 19, 20, 23, 26, 29, 31, 32

Rural: 1, 2, 3, 4, 8, 9, 10, 12, 14, 15, 18, 24, 25, 27, 28, 30, 33, 34, 35, 36, 37, 38,  
39, 40, 41, 42, 43, 44, 45

## 5. SENTENCING DISPARITY BY RACE

The most significant indicator of sentencing disparity by race is the incarceration rate in relation to black, Hispanic and white populations. This rate is the number of incarcerated offenders of each race per 100,000 individuals in the general population. The Missouri incarceration rate for black offenders is 4 times that of white offenders, though the national black incarceration rate is 5.3 times that of white offenders. The incarceration rate for Hispanics in Missouri is lowest and only 45% of the national Hispanic rate. The intent of the following analysis is to explain the reasons for the disparity with available sentencing data.

### Incarceration Rates, Fiscal 2015

	Missouri	US <sup>†</sup>
Black <sup>+</sup>	1,637	1,359
Hispanic	260	582
White <sup>+</sup>	405	256
Total	527	470

+Excludes persons of Hispanic or Latino origin

†US data based on Bureau of Justice Statistics

"Prisoners in 2014"; includes federal prisons

There are many factors, including socio-economic, that play an important part in explaining the differences in incarceration rates between racial and ethnic groups. The analysis the Commission has conducted attempts to identify the relative impacts of severity of offense, prior criminal history and time served in Missouri.

Using the sentencing data for fiscal 2015, the comparison between the four racial or ethnic groups indicates that black offenders have the highest average prison sentence, 7.7 years, compared to an average of 5.8 years for white offenders. Black offenders also have a higher percent of prison sentences than white offenders (26.8% compared to 22.9%). Hispanics are similar to black offenders in percent of prison sentences (26.8%), but closer to white offenders in average sentence.

### New Sentencing and DOC Commitment By Race, Fiscal 2015

#### All Offenses

Race/ Hispanic	Sentences	Percent Disposition				Average Prison Sentence (yrs)
		Probation	Shock/ Treatment	Prison	Total Percent	
Black	6,135	66.2	7.0	26.8	100.0	7.7
Hispanic	482	63.1	10.2	26.8	100.0	6.1
White	19,403	65.9	11.2	22.9	100.0	5.8
Other*	166	67.5	8.4	24.1	100.0	7.2
Total	26,186	65.9	10.1	23.9	100.0	6.3

\* Other includes Native Americans, Asians and Pacific Islanders

## Severity of Offense

The disparity in sentencing between races could be explained by differences in the types of offenses committed by the different races. The analysis is by offense group and by offense and felony class for violent, sex and drug offenses. The offense group is an aggregation of offenses into five groups that have similar sentencing practices: Violent, Sex (and child abuse), Drugs, DWI and Nonviolent. The charge code definitions of the offense groups are included the MOSAC User Guide (Appendix D).

For nonviolent offenses, white offenders have a higher percent incarceration than black offenders, but only slightly less than Hispanics. Average sentences are nearly identical for black and white offenders.

### New Sentencing and DOC Commitment By Race, Fiscal 2015

#### Non-Violent Offenses

Race/ Hispanic	Sentences	Percent Disposition				Average Prison Sentence (yrs)
		Probation	Shock/ Treatment	Prison	Total Percent	
Black	2,933	74.5	5.8	19.8	100.0	4.1
Hispanic	178	66.9	7.9	25.3	100.0	3.5
White	7,693	65.9	9.8	24.3	100.0	4.2
Other*	52	67.3	7.7	25.0	100.0	3.8
Total	10,856	68.2	8.6	23.1	100.0	4.1

\* Other includes Native Americans, Asians and Pacific Islanders

For DWI there is little difference among the prominent races.

### New Sentencing and DOC Commitment By Race, Fiscal 2015

#### DWI Offenses

Race/ Hispanic	Sentences	Percent Disposition				Average Prison Sentence (yrs)
		Probation	Shock/ Treatment	Prison	Total Percent	
Black	166	68.7	17.5	13.9	100.0	4.7
Hispanic	43	62.8	25.6	11.6	100.0	2.8
White	1,651	69.0	17.6	13.4	100.0	5.2
Other*	12	75.0	25.0	0.0	100.0	0.0
Total	1,872	68.9	17.8	13.3	100.0	5.1

\* Other includes Native Americans, Asians and Pacific Islanders

For drug offenses in general, percent of prison sentences is identical for black and white offenders, though white offenders have nearly one year less average sentence. By felony class, black offenders show a greater percent of prison sentences but one year less average sentence than white offenders for class A offenses. For class B offenses, black offenders have a higher percent prison sentence and slightly greater average sentence. For C and D class drug offenses, white offenders have greater percent prison sentences and similar or slightly greater average sentences.

**New Sentencing and DOC Commitment By Race, Fiscal 2015**

**Drug Offenses**

Race/ Hispanic	Sentences	Percent Disposition				Average Prison Sentence (yrs)
		Probation	Shock/ Treatment	Prison	Total Percent	
Black	1,735	73.9	8.2	17.9	100.0	6.4
Hispanic	159	73.0	6.9	20.1	100.0	6.1
White	7,524	71.5	10.6	17.9	100.0	5.5
Other*	62	80.6	4.8	14.5	100.0	5.3
Total	9,480	72.0	10.1	17.9	100.0	5.6

\*Other includes Native Americans, Asians and Pacific Islanders

**New Sentencing and DOC Commitment By Race and Felony Class, Fiscal 2015**

**Drug Offenses**

Felony Class	Race/ Hispanic	Sentences	Percent Disposition				Average Prison Sentence (yrs)
			Probation	Shock/ Treatment	Prison	Total Percent	
A	Black	21	42.9	14.3	42.9	100.0	12.4
	Hispanic	1	0.0	0.0	100.0	100.0	15.0
	White	71	47.9	12.7	39.4	100.0	13.4
	Other*	1	100.0	0.0	0.0	100.0	0.0
	Total	94	46.8	12.8	40.4	100.0	13.2
B	Black	478	60.7	13.4	25.9	100.0	8.8
	Hispanic	41	68.3	9.8	22.0	100.0	9.3
	White	1,441	57.8	20.3	21.9	100.0	8.2
	Other	9	77.8	22.2	0.0	100.0	0.0
	Total	1,969	58.8	18.4	22.8	100.0	8.4
C	Black	1,204	79.3	6.2	14.5	100.0	4.5
	Hispanic	115	74.8	6.1	19.1	100.0	4.4
	White	5,763	74.9	8.3	16.7	100.0	4.4
	Other	50	80.0	2.0	18.0	100.0	5.3
	Total	7,132	75.7	7.9	16.4	100.0	4.4
D	Black	32	87.5	3.1	9.4	100.0	2.7
	Hispanic	2	100.0	0.0	0.0	100.0	0.0
	White	249	77.5	6.8	15.7	100.0	3.3
	Other	2	100.0	0.0	0.0	100.0	0.0
	Total	285	78.9	6.3	14.7	100.0	3.2
Total		9,480	72.0	10.1	17.9	100.0	5.6

\*Other includes Native Americans, Asians and Pacific Islanders

For violent offenses, black offenders are more likely to be sentenced to prison than white offenders for class A, B and C felony offenses and have the longest prison sentences for class B and C offenses.

**New Sentencing and DOC Commitment By Race and Felony Class, Fiscal 2015**

**Violent Offenses**

Felony Class	Race/Hispanic	Sentences	Percent Disposition				Average Prison Sentence (yrs)
			Probation	Shock/Treatment	Prison	Total Percent	
A	Black	298	16.8	0.3	82.9	100.0	16.6
	Hispanic	8	12.5	0.0	87.5	100.0	17.1
	White	150	15.3	5.3	79.3	100.0	19.3
	Other*	5	0.0	0.0	100.0	100.0	17.0
	Total	461	16.1	2.0	82.0	100.0	17.5
B	Black	343	33.2	7.9	58.9	100.0	8.5
	Hispanic	11	36.4	9.1	54.5	100.0	8.8
	White	301	29.6	16.3	54.2	100.0	8.4
	Other	7	14.3	28.6	57.1	100.0	6.3
	Total	662	31.4	11.9	56.6	100.0	8.4
C	Black	448	52.9	9.6	37.5	100.0	5.2
	Hispanic	45	55.6	11.1	33.3	100.0	4.9
	White	1,233	59.4	13.4	27.2	100.0	5.1
	Other	22	72.7	0.0	27.3	100.0	4.5
	Total	1,748	57.8	12.2	30.0	100.0	5.1
D	Black	33	57.6	6.1	36.4	100.0	3.4
	Hispanic	6	33.3	33.3	33.3	100.0	3.5
	White	90	58.9	7.8	33.3	100.0	3.1
	Other	-	0.0	0.0	0.0	100.0	0.0
	Total	129	57.4	8.5	34.1	100.0	3.2
Total		3,000	45.6	10.4	44.0	100.0	9.5

\* Other includes Native Americans, Asians and Pacific Islanders

For sex and child abuse offenses, the clearest difference is that white offenders comprise the majority of this group. For A and B class offenses, percent of prison sentences is similar for black and white offenders. Average prison sentence is higher for black offenders with class A/unclassified offenses, but higher for white offenders with class B offenses. Overall, percent prison sentences are not vastly different among races. This is probably due to the greater likelihood of these offenses carrying minimum prison terms by statute, dangerous felony requirements or probation restrictions that would equalize sentencing to some degree.

#### **New Sentencing and DOC Commitment By Race and Felony Class, Fiscal 2015**

##### **Sex Offenses**

Felony Class	Race/Hispanic	Sentences	Percent Disposition				Average Prison Sentence (yrs)
			Probation	Shock/Treatment	Prison	Total Percent	
A and Unclassified	Black	69	7.2	1.4	91.3	100.0	19.3
	Hispanic	7	0.0	0.0	100.0	100.0	15.0
	White	151	7.3	2.0	90.7	100.0	17.3
	Other*	2	0.0	0.0	100.0	100.0	20.0
	Total	229	7.0	1.7	91.3	100.0	17.9
B	Black	17	23.5	23.5	52.9	100.0	8.8
	Hispanic	7	14.3	28.6	57.1	100.0	7.5
	White	177	28.8	18.6	52.5	100.0	9.8
	Other	1	0.0	0.0	100.0	100.0	12.0
	Total	202	27.7	19.3	53.0	100.0	9.7
C	Black	89	53.9	10.1	36.0	100.0	5.1
	Hispanic	18	50.0	16.7	33.3	100.0	4.2
	White	379	56.2	14.0	29.8	100.0	5.4
	Other	3	33.3	66.7	0.0	100.0	0.0
	Total	489	55.4	13.7	30.9	100.0	5.3
D	Black	3	66.7	0.0	33.3	100.0	2.0
	Hispanic	-	0.0	0.0	0.0	100.0	0.0
	White	53	58.5	11.3	30.2	100.0	3.5
	Other	-	0.0	0.0	0.0	100.0	0.0
	Total	56	58.9	10.7	30.4	100.0	3.4
Total		976	38.5	11.9	49.6	100.0	11.6

\* Other includes Native Americans, Asians and Pacific Islanders

## Prior Criminal History

Prior criminal history could explain differences in sentencing between the races because prior offenses result in more severe sentencing. For all sentencing in fiscal 2015, black and white offenders occur in similar percentages at all levels. This is just over one-third in level I (no prior felony convictions), one-quarter in level II (one or two prior felonies), 17% in level III and 10% in levels IV and V. However, for the same level of prior criminal history, black offenders have longer average sentences. For level I, the percent of black offenders with prison sentences is almost twice that of white offenders (12.3% to 6.9%), but this disparity is greatly reduced as prior convictions take effect for levels II – V.

### Prior Criminal History By Racial/Ethnic Origin, Fiscal 2015

#### Dispositions

Race/ Hispanic	Prior Criminal History Level *					Total
	Level I	Level II	Level III	Level IV	Level V	
Black	2,335	1,520	1,057	632	591	6,135
Hispanic	245	131	64	25	17	482
White	7,441	4,909	3,336	1,912	1,805	19,403
Other <sup>†</sup>	92	45	15	3	11	166
Total	10,113	6,605	4,472	2,572	2,424	26,186

#### Percentages

Race/ Hispanic	Prior Criminal History Level *					Total
	Level I	Level II	Level III	Level IV	Level V	
Black	38.1%	24.8%	17.2%	10.3%	9.6%	100.0%
Hispanic	50.8%	27.2%	13.3%	5.2%	3.5%	100.0%
White	38.3%	25.3%	17.2%	9.9%	9.3%	100.0%
Other	55.4%	27.1%	9.0%	1.8%	6.6%	100.0%
Total	38.6%	25.2%	17.1%	9.8%	9.3%	100.0%

#### Average Prison Sentences (years)

Race/ Hispanic	Prior Criminal History Level *					Total
	Level I	Level II	Level III	Level IV	Level V	
Black	10.3	7.4	7.0	7.6	6.6	7.7
Hispanic	8.7	5.5	4.8	3.8	5.8	6.1
White	9.3	5.6	5.3	5.2	5.3	5.8
Other	10.2	6.5	6.5	4.0	5.4	7.2
Total	9.6	6.0	5.7	5.8	5.6	6.3

#### Prison Sentences as a Percent of All Dispositions

Race/ Hispanic	Prior Criminal History Level *				
	Level I	Level II	Level III	Level IV	Level V
Black	12.3%	25.2%	38.4%	45.1%	48.2%
Hispanic	14.3%	31.3%	43.8%	56.0%	64.7%
White	6.9%	20.9%	36.7%	43.0%	47.7%
Other	10.9%	26.7%	66.7%	33.3%	63.6%
Total	8.4%	22.1%	37.3%	43.7%	48.0%

\* Prior Criminal History Levels:

Level I No felonies and no more than three misdemeanors

Level II One or two unrelated felonies or more than three misdemeanors

Level III Three unrelated felonies or one incarceration > 30 days

Level IV Four unrelated felonies or two incarcerations > 30 days

Level V Five or more unrelated felonies or three or more incarcerations > 30 days

<sup>†</sup> Other includes Native Americans, Asians and Pacific Islanders

## Prior Criminal History and Gender

The disparity among races in fiscal 2015 shows some differences between genders. For offenders with priors, white females comprise a greater proportion of levels II – IV than black females, while at level V (three or more incarcerations) black females (4.7%) surpass white females (4.0%). Overall, there is a greater percentage of white females with prior offenses than black females, as evidenced by the lower percentage of white females in level I with no priors (50.5% vs. 57.3%). Black and white males, however, occur at nearly identical percentages except at level V where white males (11.2%) surpass black males (10.4%).

For both males and females, there is a greater percentage of black offenders receiving a prison sentence for level I (no prior felonies). At levels II – IV, both males and females occur in similar proportions between black and white offenders. A disparity arises in level V offenders as percent of black and white males with a prison sentence is nearly identical. In contrast, black females occur at 50%, similar to males, but white females at only 39.3%.

**Prior Criminal History by Gender and Race, Fiscal 2015**

Race/ Hispanic	Prior Criminal History Level *					Total
	Level I	Level II	Level III	Level IV	Level V	
<b>Females</b>						
Black	57.3%	23.3%	9.5%	5.2%	4.7%	100.0%
Hispanic	56.0%	28.4%	9.5%	6.0%	0.0%	100.0%
White	50.5%	26.1%	13.0%	6.4%	4.0%	100.0%
<b>Males</b>						
Black	35.0%	25.0%	18.5%	11.1%	10.4%	100.0%
Hispanic	49.2%	26.8%	14.5%	4.9%	4.6%	100.0%
White	33.9%	25.0%	18.7%	11.1%	11.2%	100.0%

**Percent with Prison Sentence By Race and Prior Criminal History Fiscal 2015**

Race/ Hispanic	Prior Criminal History Level *					Total <sup>†</sup>
	Level I	Level II	Level III	Level IV	Level V	
<b>Females</b>						
Black	6.6%	18.8%	27.5%	34.1%	50.0%	14.9%
Hispanic	1.5%	24.2%	27.3%	57.1%	0.0%	13.8%
White	3.1%	17.2%	30.5%	36.4%	39.3%	13.9%
<b>Males</b>						
Black	13.8%	26.2%	39.3%	45.9%	48.1%	28.8%
Hispanic	18.9%	33.7%	47.2%	55.6%	64.7%	30.9%
White	9.0%	22.2%	38.3%	44.4%	48.8%	26.2%

\* Prior Criminal History Levels:

Level I No felonies and no more than three misdemeanors

Level II One or two unrelated felonies or more than three misdemeanors

Level III Three unrelated felonies or one incarceration > 30 days

Level IV Four unrelated felonies or two incarcerations > 30 days

Level V Five or more unrelated felonies or three or more incarcerations > 30 days

<sup>†</sup>Total percent prison indicates percent of that group receiving a prison sentence regardless of level

## Prior Criminal History and Offense

The more severe sentencing for black offenders indicated in the Prior Criminal History analysis might be because of differences between the races within offense and felony class. The analysis below shows the percent of level I offenders sentenced to prison and the average prison sentence of those offenders, for class A violent, sex and drug offenses, class C nonviolent offenses and all DWI offenses. Because of the smaller sample, the time period was extended to three years (fiscal 2013-2015). In all cases, white offenders had a greater percent of prison sentences and generally similar or longer average sentences than black offenders. Some of these differences may be the result of differences in the offenses and minimum prison terms within the class A violent offense group (Murder, Robbery, Assault).

### Prison as a Percent of All Sentences and Average Prison Sentence

#### Offenders with Level I\* Prior Criminal History by Offense and Race, Fiscal 2013-2015

Offense Group Race/Hispanic	Level I Sentences	Percent Prison Sentences	Average Prison Sentences (years)	Offense Group Race/Hispanic	Level I Sentences	Percent Prison Sentences	Average Prison Sentences (years)
<i>Violent Class A</i>				<i>Drug Class A</i>			
Black	562	72.8%	15.6	Black	37	8.1%	10.0
Hispanic	25	76.0%	18.5	Hispanic	8	62.5%	19.0
White	230	76.5%	20.0	White	95	11.6%	12.7
Other	2	100.0%	15.0	Other	-		
Total Violent	819	74.0%	17.0	Total Drug	140	13.6%	13.9
<i>Sex Class A &amp; Unclassified</i>				<i>DWI</i>			
Black	102	79.4%	15.0	Black	223	1.8%	3.3
Hispanic	23	91.3%	14.7	Hispanic	72	4.2%	3.0
White	350	87.4%	15.1	White	3,012	2.2%	3.7
Other	3	100.0%	18.3	Other	36	0.0%	0.0
Total Sex	478	86.0%	15.1	Total DWI	3,343	2.2%	3.7
<i>Non-Violent Class C</i>				Total Sentences	16,574	9.4%	12.2
Black	3,378	2.9%	4.4				
Hispanic	192	9.9%	2.9				
White	8,137	4.1%	4.4				
Other	87	2.3%	3.5				
Total Non-Violent	11,794	3.8%	4.3				

\* Level I No felonies and no more than three misdemeanors

## Time Served

The previous analysis examined variations in sentencing by race, but the disparity that often results in black offenders having a higher incarceration rate than other races could also be the result of the release practices of the Missouri Board of Probation and Parole. For offenders sentenced to a prison sentence, the Board of Probation and Parole has the discretionary responsibility to determine the release date, subject to statutory restrictions on minimum prison time and the statute that defines conditional release.

In fiscal 2015, the Board of Probation and Parole released 7,254 offenders to the first release in their commitment. The average time served was 34 months which was 47.3% of the aggregate sentence. Black offenders served significantly more time than white offenders (45.7 months compared to 29.6 months) and also served more time as a percent of the sentence (55% compared to 43.9%).

**Percent of Sentence Served and Guideline or Minimum Prison Term (MPT) Percent of Sentence  
Board Hearings, Fiscal 2015**

Race and Hispanic	Hearings	Average Sentence (mths)	Time Served (mths)	Actual Percent Served	Guideline / MPT (mths)	Guideline / MPT % Served	Difference between Actual & Guideline Percent Served
Black	1,910	83.1	45.7	55.0%	40.8	49.1%	5.9%
Hispanic	139	71.6	34.5	48.2%	28.8	40.2%	8.0%
White	5,164	67.4	29.6	43.9%	24.4	36.2%	7.7%
Other	41	68.8	35.1	51.0%	28.4	41.3%	9.7%
Total	7,254	71.6	33.9	47.3%	28.8	40.2%	7.1%

The Board bases its release decisions on a risk assessment, known as the salient factor, which is completed prior to the parole hearing. The risk factors include prior criminal history, institutional adjustment, substance abuse, education, age and vocational skills. The instrument has been validated by the DOC to be predictive of the risk of recidivism. The risk assessment, together with the felony class and the offense type, are used to calculate a guideline release date.

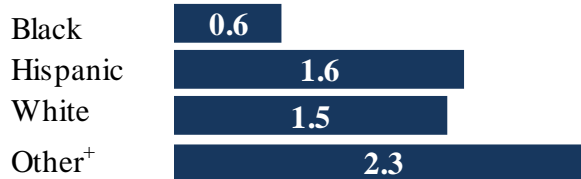
A measure of racial disparity is the extent to which the Board's adherence to the guideline sentence varies by race. In fiscal 2015, average time served as a percent of the sentence for black offenders was 55%, while the guideline time served percent of sentence was 49.1%. The Board, therefore, required black offenders to serve 5.9% longer than the guideline time served. However, this was less than the 7.7% additional time served over the guideline stay for white offenders and the average 7.1% over-guideline stay for all offenders. Based upon this analysis there is no racial bias in the Board's compliance with its guidelines.

The greater time served by black offenders is because of the longer, more violent sentences, as explained in the previous section on sentencing, and by the higher risk assessment of black offenders. Only 16% of black offenders are scored Excellent compared to 24% of white offenders, and the average risk score of white offenders is 1.5 compared to 0.6 for black offenders.

**Salient Factor Risk Assessment First Releases, Fiscal 2015**  
**Percent Offenders in Each Salient Factor Category by Race**

		Salient Factor Category Score					
		Lowest Risk -----Highest Risk					
		Excellent	Above	Average	Below	Poor	
Race/Ethnicity	# Hearings	4 to 9	2 to 3	-1 to 1	-2 to -3	-4 to -11	Total
Black	1,910	16%	23%	38%	15%	9%	100%
Hispanic	139	28%	21%	36%	11%	4%	100%
White	5,164	24%	27%	35%	9%	4%	100%
Other*	41	34%	17%	46%	0%	2%	100%
Total	7,254	22%	26%	36%	11%	6%	100%

**Average Risk Score from Salient Factor \* By Race**  
**Fiscal 2015**



\* high score is low risk

<sup>+</sup> Other includes Native Americans, Asians and Pacific Islanders

## Statistical Modeling of the Causes of Sentencing Disparity

The analysis of disparity so far in this section has been descriptive, comparing average sentences for variations in offense severity, felony class and prior criminal history. A broader analysis is possible by developing a statistical model.

Several statistical analyses were undertaken to understand the relationship between race and sentencing decisions in Missouri. However, the relationship between race and sentencing is not straightforward, as there are many other factors that affect sentencing decisions and also vary across race. For example, prior criminal history (page 37) and current offense information both affect sentencing and may differ across racial groups. For the purposes of this analysis, offenses will be described according to the offense group (Violent/Sex/Child Abuse, Nonviolent/DWI, or Drugs) and the felony class. An analysis is presented below based upon sentencing information from fiscal 2009 through 2015.

In Missouri, black offenders are more likely than their white counterparts to have a prior criminal history. They are underrepresented in the first time offender category (1) and overrepresented in all other groups. This difference is statistically significant ( $p\text{-value} < 0.001$ ) and may be causing these offenders to receive more severe sentences on average.

Prior Criminal History Level

			Race		Total
			White / Hispanic	Black	
Prior Criminal History	1	Count	56893	20429	77322
		% within race	41.0%	38.1%	40.2%
	2	Count	33823	13297	47120
		% within race	24.4%	24.8%	24.5%
	3	Count	22729	9416	32145
		% within race	16.4%	17.6%	16.7%
	4	Count	13449	5483	18932
		% within race	9.7%	10.2%	9.8%
	5	Count	11809	4947	16756
		% within race	8.5%	9.2%	8.7%
Total		Count	136734	138703	53572
		% within race	100.0%	100.0%	100.0%

Additionally, black offenders are far more likely than their white counterparts to be sentenced for A and B felonies (p-value < 0.001). They were sentenced for A felonies at more than twice the rate of white offenders. Statutes require harsher sentences for these types of offenses, and this factor also influences the sentencing differences between racial groups.

Felony class

			Race		
			White / Hispanic	Black	
class	A	Count	3367	3740	7107
		% within race	2.4%	7.0%	3.7%
	B	Count	17092	8884	25976
		% within race	12.3%	16.6%	13.5%
	C	Count	89916	30365	120281
		% within race	64.8%	56.7%	62.6%
	D	Count	28328	10583	38911
		% within race	20.4%	19.8%	20.2%
Total	Count	136734	138703	53572	
	% within race	100.0%	100.0%	100.0%	

Finally, black offenders are more likely than their white counterparts to be sentenced for violent or sex crimes (p-value <0.001). As with previous factors, the type of offense influences sentencing, and these differences may affect the severity of sentences handed down to individual offenders.

Offense Group

			Race		Total
			White / Hispanic	Black / Other	
Offense Group	Violent/Sex	Count	19352	11009	30361
		% within race	14.0%	20.5%	15.8%
	Nonviolent/DWI	Count	72481	26642	99123
		% within race	52.3%	49.7%	51.6%
	Drugs	Count	46870	15921	62791
		% within race	33.8%	29.7%	32.7%
Total	Count	136734	138703	53572	
	% within race	100.0%	100.0%	100.0%	

In order to understand the interrelationship between the different factors, a logistic regression was used to estimate the probability of an offender receiving a prison sentence. For these purposes, shock incarceration/120 day programs are not included in the prison population. This model includes additional variables one at a time into the model and assesses the changes in the quality of the model fit for each subsequent variable. One important measure of the value of a variable in a model is the R Squared value. This measures the amount that the model is improved by including the additional variable. When the R Squared increases substantially, a variable is important in predicting the outcome. While the variable “race” is included in this model, it is the last variable added (least significant) and does not change the R Squared value in a meaningful way.

#### Model Summary

Step	-2 Log likelihood	Cox & Snell R Square	Nagelkerke R Square
Prior Criminal History	190580.670 <sup>a</sup>	.135	.199
Felony Class	178926.481 <sup>a</sup>	.186	.273
Offense Group	172578.474 <sup>a</sup>	.212	.312
Age	171405.291 <sup>a</sup>	.217	.320
Rural/Urban/Metro	170634.474 <sup>a</sup>	.220	.324
Gender	169931.613 <sup>a</sup>	.223	.328
Race	169902.701 <sup>a</sup>	.223	.328

a. Estimation terminated at iteration number 5 because parameter estimates changed by less than .001.

To understand the effect of race, the probability of receiving a prison sentence was determined for an “average” offender. In this case, an “average” offender has some documented criminal history and committed a B or C felony. The table below indicates that if the offender is a white male, the probability of going to prison is 0.50 (50%) while an identical black male has a probability of 0.51 (51%) of going to prison. The opposite effect is seen for females, with black females being slightly less likely than whites to go to prison. Notice that the difference in prison probabilities for the two genders is much larger than that for the two races. This pattern is similar for prior offenses, offense type and rural/urban areas.

Estimated Probability of a Prison Sentence for an Average Defendant

sex	race	Mean	Std. Error	95% Wald Confidence Interval	
				Lower	Upper
Male	White	.50	.003	.50	.51
	Black	.51	.005	.50	.52
Female	White	.40	.005	.39	.41
	Black	.35	.010	.33	.37

Covariates appearing in the model are fixed at the following values: age=33.07

There is an effect found for the variable rural, which is a measure of how rural or urban an area is. As this variable is also significant (and of much greater magnitude than race), the sentencing circuit court was included in the model instead of the more general variable. This was done to understand how sentencing varies across courts. The results are interesting in that when the sentencing court is included in the analysis, race is no longer included in the model. Also, the circuit court is more important than either age or gender when determining if prison sentences are given. It appears that differences in sentencing between circuit courts may be responsible for the appearance of a small racial effect found in the earlier analysis.

Model Summary Including Circuit Court

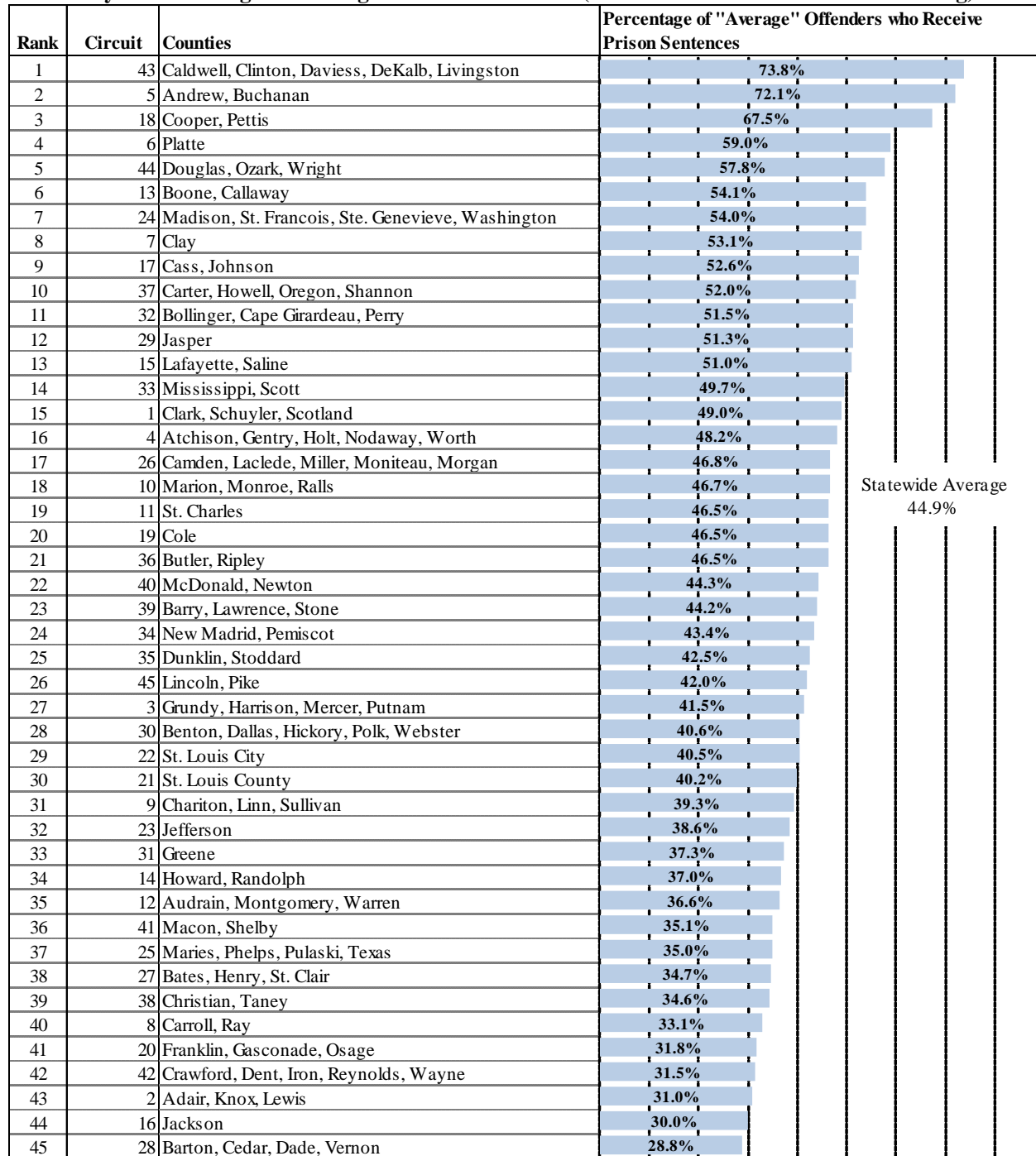
Step	-2 Log likelihood	Cox & Snell R Square	Nagelkerke R Square
Prior Criminal History	190580.670 <sup>a</sup>	.135	.199
Felony Class	178926.481 <sup>a</sup>	.186	.273
Offense Group	172578.474 <sup>a</sup>	.212	.312
Circuit Court	167757.977 <sup>a</sup>	.232	.341
Age	166606.762 <sup>a</sup>	.236	.348
Gender	165894.099 <sup>a</sup>	.239	.352

a. Estimation terminated at iteration number 5 because parameter estimates changed by less than .001.

Based upon these analyses, it appears that while black offenders do tend, on average, to serve harsher sentences than white offenders, these effects appear to be due to factors other than race. This general pattern is also seen when 120 Day/Shock Incarcerations are included as a third possible sentencing option. The effect of previous criminal history, offense group and felony class, and gender are well studied in criminal justice literature. However, the great discrepancies across circuit courts are not currently well understood; it appears that the court which sentences an offender has a large effect on the likelihood that the offender has to serve time in prison.

## Sentencing Disparity Adjusted for Sentencing Model Variables

Probability of Sentencing an "Average" Offender to Prison (calculated from the model of sentencing)



The above chart is a re-working of the first disparity chart on prison sentences as a percent of all sentences (page 11). The chart shows the estimated probability that an average defendant will be sentenced to prison while correcting for variations in offense group, felony class, prior criminal history, gender and age. The adjusted chart still shows considerable variation between circuits,

from a low 29% to a high of 74% which indicates that there is much variation by circuit court that cannot be explained by the analysis. In general, the ranking of circuits does not change after adjustment but the two counties with the most serious crime (St. Louis City and Jackson County) both decrease after adjustment because serious crime has been averaged out of the equation.

### Conclusions on Racial Disparity in Sentencing

The analysis of sentencing practice does not find that race is significant at explaining the differences in sentencing between the races. The analysis shows that most of the variation in sentencing between the races is explained by variables that are intended to determine sentencing (offense, felony class and prior criminal history). Two other variables that are known to be related to recidivism are also significant (age and gender). The variations in sentencing between circuit courts may include some racial bias but the impact in the model is small and cannot explain the large differences in incarceration rates between the races. A broader study including socio-economic variables and patterns of policing, arrest and charging will be necessary.

### **Statistical Modeling of Sentence Length Disparity**

The previous section indicates that race is not a determining factor in whether or not an individual receives a prison sentence. In this section the length of prison sentences given is examined. Only individuals who received a prison sentence are considered in this analysis.

A simple t-test comparing the sentence length for whites and blacks (ignoring all other variables) finds that blacks have longer average sentences than whites with a sentence length of 6.15 years for blacks and 6.00 years for whites. This difference is statistically significant with a p-value less than 0.001. However, as has been seen in the last section, there are other differences between the two groups, including the offense group, felony class, and the prior criminal history of the two races. A more in depth investigation is needed to examine these differences.

A standard analysis of variance model (ANOVA) assumes that the errors (differences from the mean) are normally distributed with mean zero and equal variance. This assumption does not appear to be satisfied in this case. Taking the natural logarithm of the sentence lengths makes the errors appear less skewed, but does not make them appear to satisfy these assumptions. However, ANOVA models are robust to some departure from the assumptions and thus are used with caution in this case.

Fitting the model with interactions between pairs of the variables provides a better fit than just examining the effects of each variable individually. However, adding interactions between sets of three variables does not contribute much to the R squared adjusted values; thus the model containing main effects and all two-way interactions is used. This model has an R squared adjusted of 0.60, and provides reasonable fit to the responses observed.

Two variables associated with race have significant p-values in the model. These are the interaction between race and circuit court and the interaction between race and offense group. These interactions indicate that the pattern of average sentence lengths across circuit courts or offense types is different than the pattern of average sentence lengths for whites. The lack of a

significant main effect for race shows no evidence that blacks and whites are treated differently on average; in some cases blacks receive longer sentences and in other cases whites do.

In fact, the average sentence for blacks is slightly shorter than the average sentence for whites when correcting for the effect of gender, offense type and class, prior criminal history, and circuit court; this difference is not statistically significant, and there is no evidence that there is a difference between the races.

Average Prison Sentence (Years) Corrected for Other Variables				
race	Mean	Std. Error	95% Confidence Interval	
			Lower Bound	Upper Bound
White	5.291 <sup>a</sup>	1.009	5.202	5.376
Black	5.259 <sup>a</sup>	1.016	5.104	5.425

a. Covariates appearing in the model are evaluated at the following values: age = 33.66.

The most important variables in this model of the length of prison sentences are the class and type of the offense committed. There is a highly significant interaction between these two, which means that the pattern of average sentence lengths across offense classes is different for the three different groups of offenses. This could be due to the fact that some crimes are considered more severe than others, even if they are in the same felony class.

### Conclusions on Sentence Length Disparity

This analysis of the length of prison sentences does not indicate that there is any systemic difference between the races. However, the two significant interactions between race and the offense type and race and the circuit courts could potentially indicate that race does play some role in determining the lengths of sentences. It could also be simply a byproduct of the types of crimes that individuals in the different circuits or offense groups for which the two racial groups are being sentenced. Due to the small number of prison sentences arising from some of these combinations of race and circuit court or offense group, these differences could also simply be the effect of small sample size. Continuing study in this area over time may help illuminate the causes of the differences that are observed here.

## **Statistical Modeling of Parole Decisions**

The parole board determines parole dates for offenders in prison and utilizes several measures to inform their decision making. On the basis of the type of offense committed, a risk assessment tool, and the length of an individual's sentence, guidelines for parole release have been established. In this section, the relationship between the guideline parole date (or minimum prison time required by statute, if this is longer) and the actual parole date is examined.

A simple examination of the relationship between race and whether or not an offender is released by the guideline date reveals a surprising trend. When ignoring other factors which potentially influence adherence to guidelines, it appears that race is an important factor in determining

whether or not an offender is released and that black offenders are more likely to be released by guidelines when compared to white offenders.

Race and Percent Over Guideline Level

			Over Guidelines		Total
			No	Yes	
Race	Black	Count	3290	2744	6034
		% within Race	54.5%	45.5%	100.0%
	White	Count	7778	8384	16162
		% within Race	48.1%	51.9%	100.0%
Total		Count	11068	11128	22196
		% within Race	49.9%	50.1%	100.0%

However, as was observed in the previous sections, there are additional variables that differ between black and white offenders. In this case, studying those factors further demonstrates that the difference observed between the races is actually due to differences in the types and severity of offenses between the two races, and not due to different treatment of the two races by the parole board.

For example, whites are overrepresented in both the DWI and sexual/child abuse offense categories. These two categories are far more likely than the other categories to be over guidelines. This could be one of the reasons why white appear more likely than blacks to be over guidelines.

Offense Group and Race

			Race		Total
			Black	White	
Offense Group	Drug	Count	1448	4601	6049
		% within Offense	23.9%	76.1%	100.0%
	DWI	Count	92	1014	1106
		% within Offense	8.3%	91.7%	100.0%
	Nonviolent	Count	2285	7140	9425
		% within Offense	24.2%	75.8%	100.0%
	Sex/Child Abuse	Count	283	1083	1366
		% within Offense	20.7%	79.3%	100.0%
	Violent	Count	1926	2324	4250
		% within Offense	45.3%	54.7%	100.0%
Total	Count	6034	16162	22196	
	% within Offense	27.2%	72.8%	100.0%	

To determine which factors are important in determining if an offender is released after guidelines, a logistic regression was used to determine the probability of being over guidelines. Terms are entered into the model and the effect on the pseudo-R Squared values are determined. Important variables increase this value; the offense type and offense class are the two most significant predictors found in this model. The race of the individual does not enter into the model

at all, as it does not explain enough of the variability that remains after the offense information is included.

Model Summary

Step	-2 Log likelihood	Cox & Snell R Square	Nagelkerke R Square
Offense Group	29047.708a	.075	.100
Felony Class	28627.377a	.092	.123
Risk Category	28311.438a	.105	.140
Age	28283.309a	.106	.141
Gender	28267.050a	.107	.142
Sentence Length	28258.752a	.107	.143

a. Estimation terminated at iteration number 5 because parameter estimates changed by less than .001.

The p-values for including the variables into the model shows the same pattern as indicated above. The five variables that enter the model all have p-values less than 0.01, while the p-value for race is 0.95, indicating that race is not a predictor of whether or not an individual is paroled after their guideline date.

One interesting feature that emerges from an examination of these data deals with the trend found for offense type. After correcting for the effects of all other variables in the model, the sexual and child abuse offenses and DWI offenses are both much more likely to be over their corresponding guidelines than other offense types. For sexual offenses, statute requires that an individual complete the Missouri Sexual Offender Program (MOSOP) in order to be eligible for parole; parole board policy generally allows offenders to complete this requirement around the time of their conditional release date. Thus, it makes sense that these individual may not be released by their guideline dates.

Estimated Probability of being Over Guidelines by Offense Group

Offense Group	Mean	Std. Error	95% Wald Confidence Interval	
			Lower	Upper
Drug	.43	.010	.42	.45
DWI	.84	.012	.82	.86
Nonviolent	.39	.008	.37	.41
Sex/Child Abuse	.87	.010	.85	.89
Violent	.47	.010	.45	.49

Covariates appearing in the model are fixed at the following values: Age=34.11 years;  
Sentence=71.49 months

Also of note is the fact that after correcting for the effects of the other variables in the model, offenders with better risk assessments are more likely to be over guidelines than those with worse assessments. This may be due to the fact that offenders with very good risk assessments have very short guidelines, making it easier for them to remain in prison past the guideline, while offenders with poor risk assessments will have very long guidelines, making them easier to meet.

Estimated Probability of being Over Guidelines by Risk Score

Salient Factor	Mean	Std. Error	95% Wald Confidence Interval	
			Lower	Upper
Excellent	.75	.010	.73	.77
Above Average	.70	.009	.68	.72
Average	.66	.009	.64	.68
Below Average	.56	.013	.53	.59
Poor	.48	.019	.44	.52

Covariates appearing in the model are fixed at the following values: Age=34.11 years;  
Sentence=71.49 months

As the requirement for MOSOP can have such a large effect on the results for offenders in this group, the analysis can be considered excluding this group of offenders. The results of this reduced analysis show the same pattern as the complete analysis, which the race of an individual continuing to be not significant (p-value 0.59), and the order of importance of the variables remaining unchanged. Thus, in the interest of brevity, only the results for the analysis including all offense groups is included in this report.

#### Conclusions on Racial Disparity in Parole Decisions

The Parole Board makes parole decisions based upon a number of factors including offense history, and risk assessment. Based upon these analyses, the race of an offender does not have any bearing on whether or not that offender is paroled by the appropriate guideline for their risk level and offense type/class. However, there could still be differences observed between the length of time that offenders serve on their sentences based upon the types of crimes that they are serving time for and their risk based upon the risk assessment tools utilized by the department of corrections. Further study for the effects of other potential variables could shed more light on the nature of any differences that are observed.

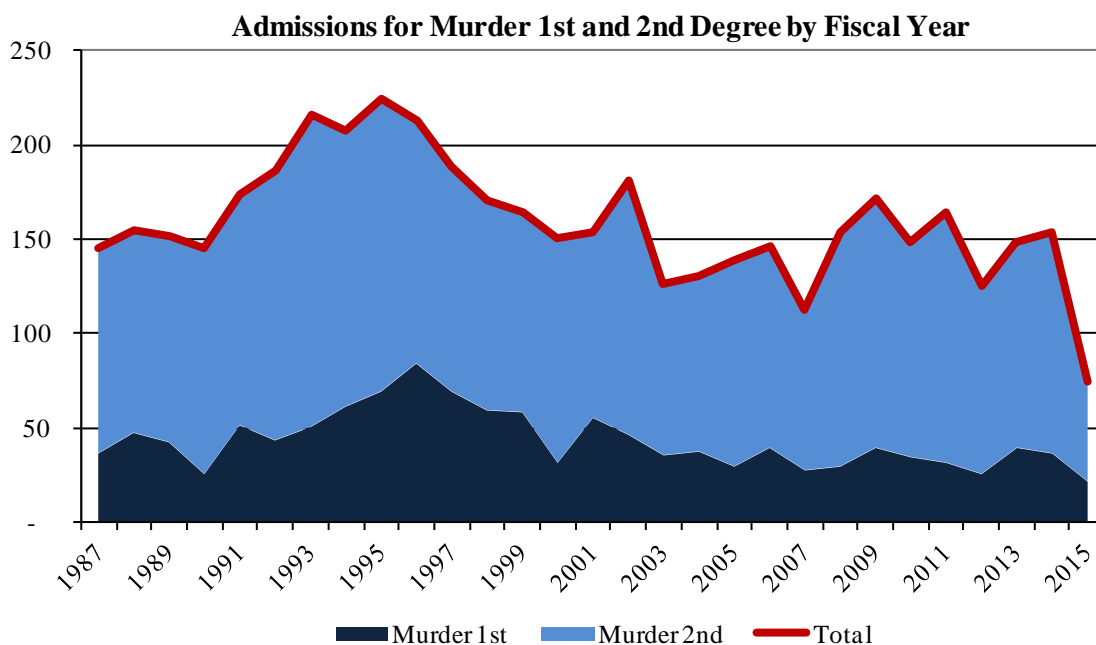
## 6. DISPARITY IN THE APPLICATION OF THE DEATH PENALTY

The study analyzes recent trends in prison admissions for murder, including sentences that require the death penalty, and provides measures that identify racial and geographic disparity in the application of capital punishment.

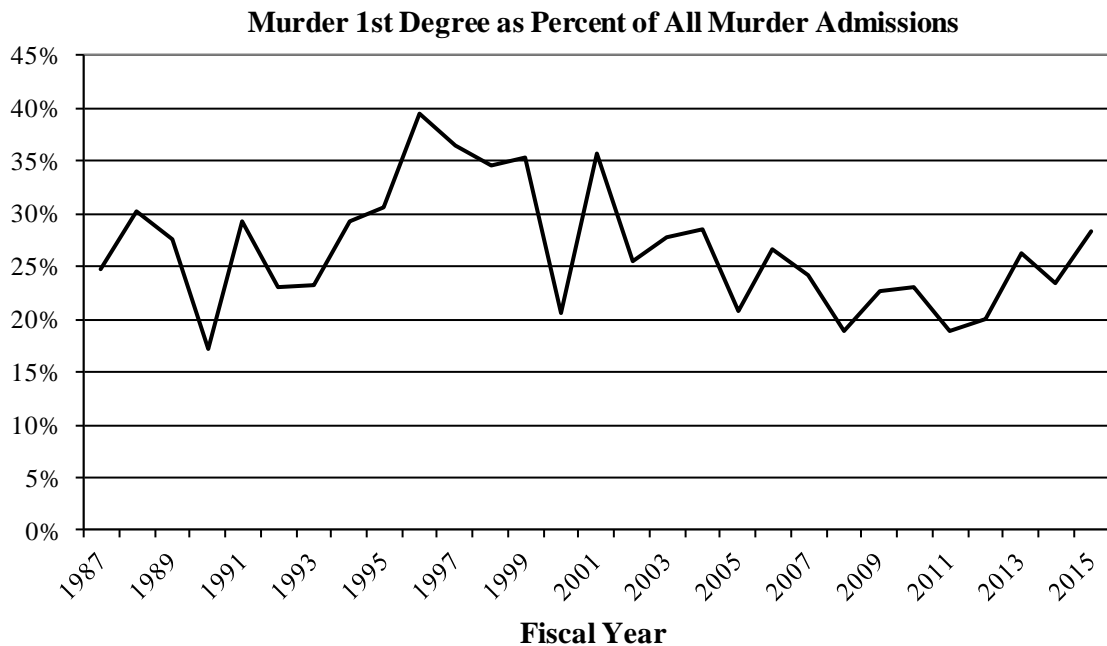
### Sentencing and Sentences for Murder (Chapter 565, RSMo.)

The death sentence for murder was re-imposed in Missouri in 1977 as Capital Murder, and the authorized sentences were the death penalty or life with no parole for 50 years. In October 1984, Capital Murder was replaced by Murder 1<sup>st</sup> degree, and the authorized sentences were the death penalty or life without parole. Prior to October 1984, Murder 1<sup>st</sup> degree had an authorized sentence of life with parole eligibility. The death penalty analysis for Murder 1<sup>st</sup> degree includes sentences of Capital Murder but excludes sentences of Murder 1<sup>st</sup> degree for offenses committed prior to October 1984. The sentencing data used in this review uses the first sentencing decision, though following appeals against the death penalty the original decision may be later reversed.

From fiscal 1995 to 2007, admissions for Murder generally declined, but then increased above pre-1990's levels through fiscal 2014. There was a marked decrease again in fiscal 2015.

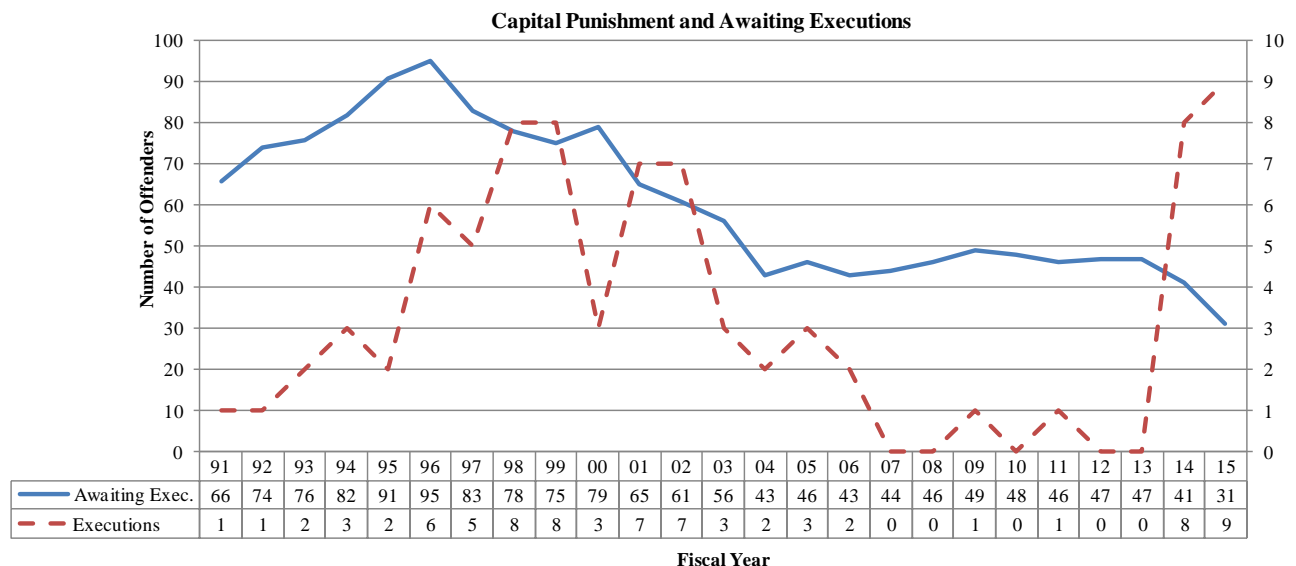


Murder 1<sup>st</sup> degree admissions as a percent of all murder admissions generally declined from fiscal 1996 through fiscal 2011, but have since shown an increasing trend.



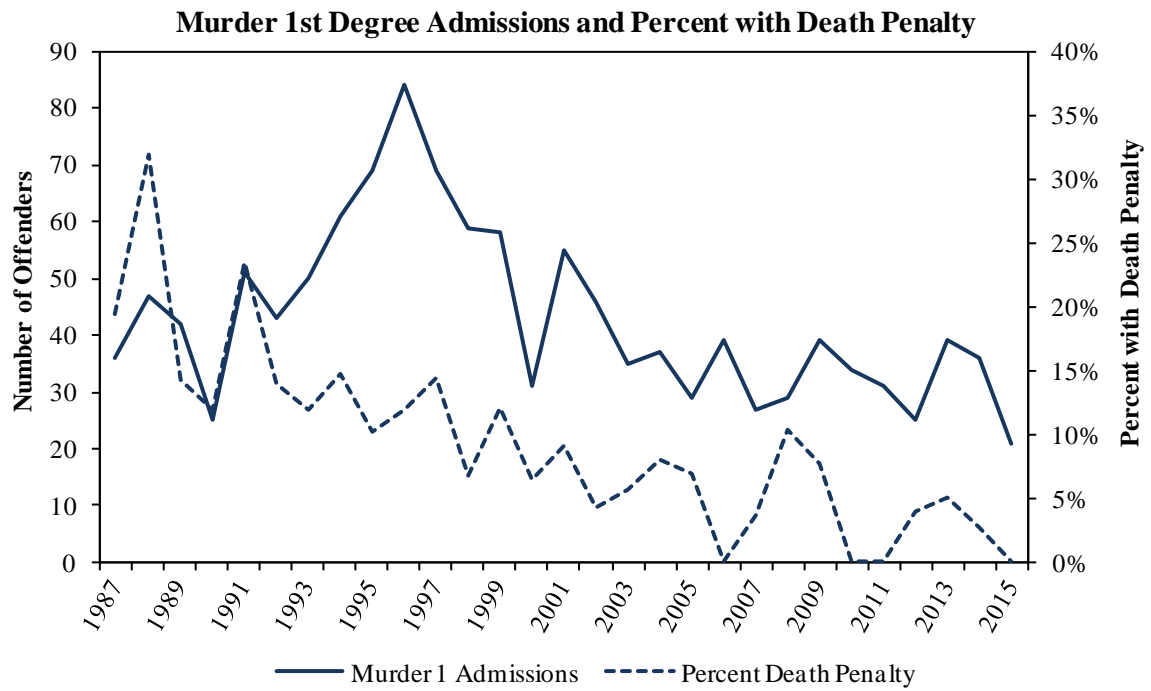
## Application of the Death Penalty

In January 2006, a US District Court issued a decision on the constitutionality of Missouri's method of execution that placed a moratorium on executions. The 8<sup>th</sup> Circuit Court of Appeals vacated that decision in June 2008 but few executions were held until 2014. Nine executions were held in fiscal 2015 and the number currently awaiting execution is 31. The percent of Murder 1<sup>st</sup> degree admissions that are sentenced to death has declined from a maximum of 32% in fiscal 1988 to less than 5% over the past several years. Only three capital punishment offenders have been admitted in the last three years.



**New Admissions for Murder by Fiscal Year**

Fiscal Year	All Murder Admissions				Murder 1st Admissions		
	Total	Murder 2nd	Murder 1st	% Murder 1st	Life No Par.	Death Penalty	% Dth. Penalty
1987	145	109	36	25%	29	7	19%
1988	155	108	47	30%	32	15	32%
1989	152	110	42	28%	36	6	14%
1990	145	120	25	17%	22	3	12%
1991	174	123	51	29%	39	12	24%
1992	187	144	43	23%	37	6	14%
1993	216	166	50	23%	44	6	12%
1994	208	147	61	29%	52	9	15%
1995	225	156	69	31%	62	7	10%
1996	213	129	84	39%	74	10	12%
1997	189	120	69	37%	59	10	14%
1998	171	112	59	35%	55	4	7%
1999	164	106	58	35%	51	7	12%
2000	151	120	31	21%	29	2	6%
2001	154	99	55	36%	50	5	9%
2002	181	135	46	25%	44	2	4%
2003	126	91	35	28%	33	2	6%
2004	130	93	37	28%	34	3	8%
2005	139	110	29	21%	27	2	7%
2006	146	107	39	27%	39	-	0%
2007	112	85	27	24%	26	1	4%
2008	154	125	29	19%	26	3	10%
2009	172	133	39	23%	36	3	8%
2010	148	114	34	23%	34	-	0%
2011	164	133	31	19%	31	-	0%
2012	125	100	25	20%	24	1	4%
2013	148	109	39	26%	37	2	5%
2014	154	118	36	23%	35	1	3%
2015	74	53	21	28%	21	-	0%
Total	4,622	3,375	1,247	27%	1,123	124	10%



## Geographic Disparity in the Application of the Death Penalty

From the earliest data since re-introduction of capital punishment to fiscal 1997, the First Class and Rural county circuits had the highest rates of capital punishment. Since 1997, when the rate at which capital punishment application began to decline, St. Louis County has become the county circuit with the highest rate of capital punishment (17.3%). St. Louis City and Jackson County have the lowest rate of capital punishment (0.9% and 0.5% respectively).

### Death Penalty Sentencing By Court Circuit

#### Fiscal 1987 - 1997

	All Murder	Murder 1st	Death Penalty	Murder 1 as Pct. Of Murder	DP as Pct. Of Murder 1st
St. Louis City	471	100	10	21.2%	10.0%
St. Louis County	252	77	11	30.6%	14.3%
Jackson County	604	184	17	30.5%	9.2%
Metro total	1,327	361	38	27.2%	10.5%
First Class	329	118	36	35.9%	30.5%
Rural	321	83	16	25.9%	19.3%
Total	1,977	562	90	28.4%	16.0%

#### Fiscal 1998 - 2015

	All Murder	Murder 1st	Death Penalty	Murder 1 as Pct. Of Murder	DP as Pct. Of Murder 1st
St. Louis City	658	107	1	16.3%	0.9%
St. Louis County	329	81	14	24.6%	17.3%
Jackson County	631	193	1	30.6%	0.5%
Metro total	1,618	381	16	23.5%	4.2%
First Class	601	164	16	27.3%	9.8%
Rural	484	154	10	31.8%	6.5%
Total	2,703	699	42	25.9%	6.0%

## Racial Disparity in the Application of the Death Penalty

Commitment rates for murder indicate that black offenders are eleven times more likely to be convicted of murder than other races combined.

The indicators used to measure racial disparity in the application of the death penalty are:

- The percent of offenders convicted of Murder 1st degree that receive the death penalty.
- The percent of offenders who are convicted of Murder who are sentenced to Murder 1<sup>st</sup> degree.

The two measures indicate that offenders of other races (all other race/ethnic groups combined) are more likely to be convicted of Murder 1<sup>st</sup> and to receive the death penalty than black offenders. From fiscal 1988 to 1997, 12.5% of black offenders convicted of Murder 1<sup>st</sup> degree received the death sentence compared to 20.2% of other races. From fiscal 1998 to 2015, 3.7% of black offenders convicted of Murder 1<sup>st</sup> degree received the death sentence compared to 9.4% of other races.

### Average Annual Murder Sentencing Rates per 100,000 population

	FY87-FY97	FY98-FY15	FY15
Black	16.69	11.90	11.83
Other Races	1.49	1.16	1.00
Total	3.28	2.41	2.28

Sentencing rate is:

Annual sentences for murder/Missouri population \* 100,000

Missouri Population: US Bureau of Census 1990, 2000, 2013

### Murder 1st as Percent of Murder Sentences and Death Penalty sentences as a Percent of Murder 1st Degree Sentences By Race

	Blacks					Other Races				
	All Murder	Murder 1st	Death Penalty	Murder 1 as Pct. Of Murder	DP as Pct. Of Murder 1st	All Murder	Murder 1st	Death Penalty	Murder 1 as Pct. Of Murder	DP as Pct. Of Murder 1st
FY 1987-FY 1997	1,187	305	38	25.7%	12.5%	790	257	52	32.5%	20.2%
FY 1998-FY 2015	1,474	353	13	23.9%	3.7%	1,092	308	29	28.2%	9.4%
FY 2015	84	19	-	22.6%	0.0%	53	19	-	35.8%	0.0%

During the period from fiscal 1998 to 2015, a smaller proportion of black offenders received the death sentence than other races across county circuits. However, the difference may not be statistically significant because of the relatively small numbers of Murder 1<sup>st</sup> degree cases.

**Death Penalty Sentencing By Court Circuit and Race, Fiscal 1998 - 2015**

	Blacks					Other Races				
	All Murder	Murder 1st	Death Penalty	Murder 1 as Pct. Of Murder	DP as Pct. Of Murder 1st	All Murder	Murder 1st	Death Penalty	Murder 1 as Pct. Of Murder	DP as Pct. Of Murder 1st
St. Louis City	484	71	-	14.7%	0.0%	174	36	1	20.7%	2.8%
St. Louis County	256	58	9	22.7%	15.5%	73	23	5	31.5%	21.7%
Jackson County	573	180	-	31.4%	0.0%	58	13	1	22.4%	7.7%
Metro total	1,313	309	9	23.5%	2.9%	305	72	7	23.6%	9.7%
First Class	172	40	3	23.3%	7.5%	429	124	13	28.9%	10.5%
Rural	73	23	1	31.5%	4.3%	411	131	9	31.9%	6.9%
Total	2,745	677	51	24.7%	7.5%	1,935	584	81	30.2%	13.9%

## 7. RECIDIVISM AND SENTENCING DISPOSITION

The Sentencing Commission is aware that a prison sentence is not always the sentence that has the best chance of success in reducing future recidivism. Prison can reinforce criminal behavior and permanently damage family, social and employment connections. Identifying alternative non-prison sentences that enable community rehabilitation to occur is an important responsibility for the Commission. The following Commission study of recidivism examines the relationship between recidivism and the type of sentence and the effect of prior criminal history on rehabilitation.

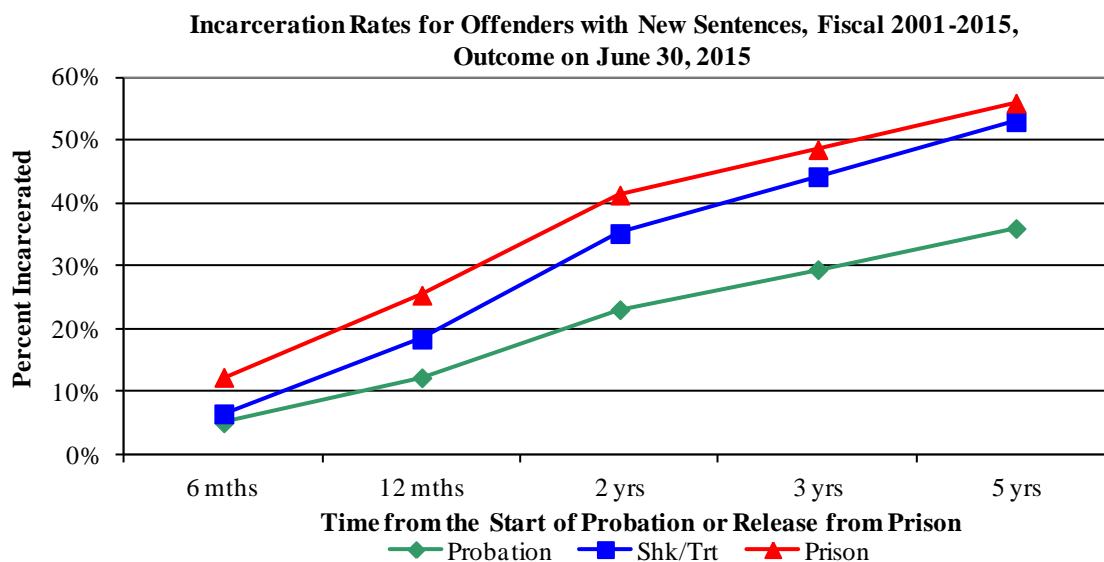
The study uses data from the Department of Corrections of offenders received for a new felony offense between July 2001 and June 2015. Two measures of recidivism are calculated:

- 1) The first incarceration following the start of a new probation or a release from prison. The incarceration may be for a technical violation while on probation or parole or for a new sentence.
- 2) The first new conviction following the start of a new probation or a release from prison. The new conviction may be a prison or probation sentence supervised by the Department of Corrections.

The time period for the study is 15 years. This is necessary as there needs to be a sufficient number of offenders who have been incarcerated and released at least five years in order to calculate five year recidivism rates for all offenders, irrespective of sentencing disposition.

### Recidivism Rates for Probation Compared to Prison

The first analysis compares recidivism of offenders sentenced to probation to recidivism by offenders sentenced and released from prison.



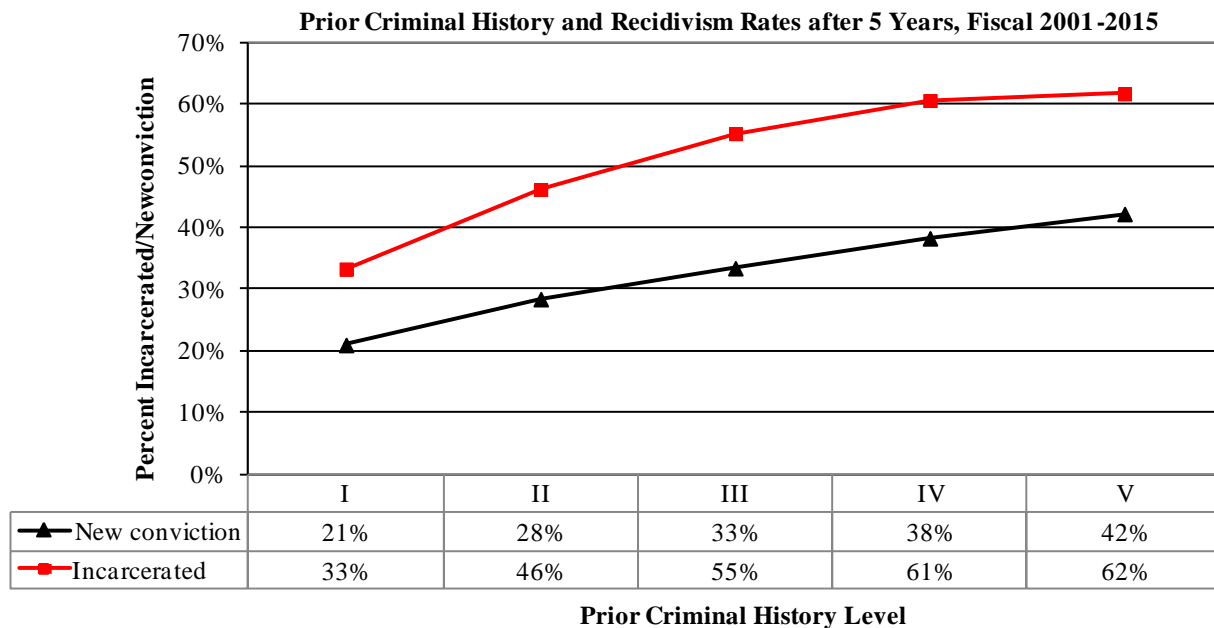
### Average Recidivism Rates for Offenders with New Sentences, Fiscal 2001-2015

Actual Sentence	Sentences	Released 5 years+	Percent in Prison within				
			6 mths	12 mths	2 yrs	3 yrs	5 yrs
Probation	239,160	151,382	5.1%	12.3%	23.1%	29.4%	36.0%
Shk/Trt	40,709	24,047	6.5%	18.4%	35.2%	44.2%	53.0%
Prison	75,019	38,549	12.3%	25.4%	41.3%	48.5%	55.9%
Total	354,888	213,978	6.7%	15.6%	28.0%	34.9%	41.8%

The data shows that offenders sentenced to probation have lower recidivism rates than prison based sentences. After five years, probationers are 20% less likely to be later incarcerated than offenders released from prison.

### The Impact of Prior Criminal History on Recidivism






The recidivism analysis indicates that both the incarceration rate and the new conviction rate increase with increasing prior criminal history. The incarceration rate for Levels 4 and 5 offenders, however, has almost leveled off at 62%. Incarceration rates are generally higher than new conviction rates because of revocations of probation and parole for technical violations of supervision, including arrests for new offenses but without new charges being filed.



## The Impact of Prior Criminal History on Probation or Prison Outcomes

If recidivism increases with prior criminal history, but probation sentences generally result in lower recidivism it is useful to calculate at what level of prior criminal history does probation cease to be the low recidivism sentence.

### Recidivism Rates After Two Years by Sentence Type and Prior Criminal History Fiscal 2001-2015

Sentence	Prior Criminal History Level				
	I	II	III	IV	V
	No prior felonies, no more than 3 misd.	1/2 felonies, no incarceration	1 incarceration or 3 felonies	2 incarcerations or 4 felonies	3+ incarcerations or 5+ felonies
Probation	19.2%	25.9%	33.8%	38.5%	39.0%
Shk/Trt	28.6%	35.0%	38.5%	42.4%	45.1%
Prison	34.8%	40.8%	44.2%	45.4%	42.9%
Average	21.0%	30.8%	38.6%	42.2%	42.0%
<i>Recidivism Gap</i> Prison Rate less Probation Rate	 15.6%	 14.9%	 10.4%	 6.9%	 3.9%

From the analysis of fiscal 2001-2015 new sentencing there is a 15.6% reduction in recidivism after two years for Level 1. For Level 2 offenders sentenced to probation compared to those sentenced to prison there is a reduction in recidivism of 14.9%. For Level 5 offenders, the gap between probation and prison recidivism is less than 4%. It is important to note that these rates were calculated from actual sentencing and not from a statistically matched comparison sample. There may be factors that influenced the sentencing decision to grant probation to an offender with considerable prior criminal history, and it is these factors that predicted the lower recidivism outcomes.

## APPENDIX I: RECIDIVISM BY CRIMINAL HISTORY, DISPOSITION AND OFFENSE

The following table presents recidivism rates by charge code, accounting for prior criminal history and sentencing disposition.

1. Prior criminal history is broken out by five levels of increasing severity

Level I No felonies and no more than three misdemeanors

Level II One or two unrelated felonies or more than three misdemeanors

Level III Three unrelated felonies or one incarceration > 30 days

Level IV Four unrelated felonies or two incarcerations > 30 days

Level V Five or more unrelated felonies or three or more incarcerations > 30 days

2. Disposition on the initial sentencing is Probation, court stipulated 120 day or long term drug sentence or prison.
3. Recidivism is calculated after two years from the start of probation or release from prison and recidivism is incarceration for a conviction for a new offense or a violation of probation or parole.
4. Because many offenses (charge codes) can have small numbers of convictions when broken out by prior criminal history and sentencing disposition it is necessary to aggregate some offenses into larger aggregates to calculate consistent recidivism rates over time. The level of aggregation is indicated in the column 'Recidivism Calculation'. If there are at least five records in each prior criminal history level for each sentencing disposition then the recidivism is calculated for the offense (CHRG), otherwise the recidivism is calculated for the offense group and the felony class group (GROUP).

### Comment

A 14 year time frame was used to provide adequate numbers of offenders and time to allow for a two year recidivism rate to be calculated for as many offenses as possible. Offenses with less than five offenders are not included but care should be exercised in interpreting the recidivism particularly when the numbers in the study are small. Although the study has used a 14 year time frame, the numbers of offenders sentenced to prison for serious violent and sex offenses and released at least two years may be very small compared to the number sentenced. For non-violent offenses, the study size is sufficient for rates to be calculated for specific offenses.

# Appendix I: Percent of Offenders Incarcerated for New Felony Sentences After Two Years from Start of Probation or Release from Prison, by Prior Criminal History, Disposition of Sentence and Offense, Fiscal 2002-2015

Old Charge Code	Offense Description	New Charge Code RSMo-identifier	Felony Class	Offense Group	Recid Calc.*	Total Count	Prior Criminal History														
							LEVEL I			LEVEL II			LEVEL III			LEVEL IV			LEVEL V		
							Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.
10021	Murder 1st degree	565.020-001Y198409	A	VIO	CHRG	19	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
10031	Murder 2nd degree	565.021-001Y198409	A	VIO	CHRG	114	NA	NA	24.5%	NA	NA	37.5%	NA	NA	18.8%	NA	NA	40.2%	NA	NA	31.7%
10041	Voluntary manslaughter	565.023-001Y198409	B	VIO	CHRG	137	28.6%	0.0%	18.5%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
10051	Involuntary manslaughter 1st degree	565.024-001Y198409	C	VIO	CHRG	414	9.8%	12.1%	17.1%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
10052	Involuntary manslaughter 2nd degree	565.024-002Y199909	D	VIO	CHRG	153	13.0%	16.0%	28.6%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
10053	Involuntary manslaughter - vehicular - intoxicated	565.024-003Y198409	C	VIO	CHRG	236	13.8%	17.0%	13.5%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
10056	Involuntary manslaughter 1st degree - operate motor vehiclewh	565.024-004Y200509	B	VIO	GROUP	34	26.9%	28.5%	29.8%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
11010	Forcible rape or attempted forcible rape with a weapon or phy	566.030-996Y198011	A	SEX	GROUP	8	NA	NA	20.5%	NA	NA	23.6%	NA	NA	31.4%	NA	NA	44.4%	NA	NA	30.0%
11015	Rape	566.030-993Y198011	A	SEX	CHRG	25	NA	NA	0.0%	NA	NA	23.6%	NA	NA	31.4%	NA	NA	44.4%	NA	NA	30.0%
11021	Statutory rape-1st degree	566.032-999Y199511	A	SEX	CHRG	135	47.8%	NA	25.5%	50.0%	NA	14.3%	45.5%	NA	31.4%	38.5%	NA	44.4%	46.9%	NA	30.0%
11022	Statutory rape 2nd degree	566.034-001Y199511	C	SEX	CHRG	1,178	31.9%	25.4%	17.5%	37.7%	27.0%	44.6%	55.6%	46.2%	38.5%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
11040	Sexual assault	566.040-998Y197911	C	SEX	CHRG	272	40.2%	27.1%	25.9%	37.5%	36.4%	23.1%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
11070	Sodomy - physical injury	566.060-999Y197911	A	SEX	GROUP	6	NA	NA	20.5%	NA	NA	23.6%	NA	NA	31.4%	NA	NA	44.4%	NA	NA	30.0%
11075	Sodomy	566.060-997Y199011	A	SEX	CHRG	23	NA	NA	25.0%	NA	NA	14.3%	NA	NA	31.4%	NA	NA	44.4%	NA	NA	30.0%
11076	Statutory sodomy 1st degree	566.062-999Y199511	A	SEX	CHRG	191	22.9%	NA	14.3%	33.8%	NA	23.6%	45.5%	NA	31.4%	38.5%	NA	44.4%	46.9%	NA	30.0%
11077	Statutory sodomy 2nd degree	566.064-001Y199511	C	SEX	CHRG	722	19.0%	17.4%	13.8%	21.7%	22.6%	9.3%	41.2%	13.3%	24.2%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
11080	Sodomy	566.060-995Y197911	B	SEX	CHRG	9	NA	NA	0.0%	NA	NA	23.6%	NA	NA	31.4%	NA	NA	44.4%	NA	NA	30.0%
11100	Deviate sexual assault	566.070-998Y197911	C	SEX	CHRG	276	25.3%	15.0%	22.0%	44.4%	0.0%	41.7%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
12010	Robbery 1st degree	569.020-001Y197912	A	VIO	CHRG	961	46.2%	21.9%	22.3%	50.8%	33.3%	23.1%	42.9%	14.3%	25.0%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
12020	Robbery 2nd degree	569.030-001Y197912	B	VIO	CHRG	3,219	30.7%	36.3%	39.1%	39.3%	45.9%	38.7%	38.7%	49.4%	46.3%	31.6%	48.9%	43.0%	31.6%	59.0%	47.1%
12035	Pharmacy robbery first degree	569.025-001Y198912	A	VIO	GROUP	6	NA	NA	29.8%	NA	NA	31.4%	NA	NA	37.3%	NA	NA	40.2%	NA	NA	31.7%
12045	Pharmacy robbery second degree	569.035-001Y198912	B	VIO	GROUP	11	NA	NA	29.8%	NA	NA	31.4%	NA	NA	37.3%	NA	NA	40.2%	NA	NA	31.7%
13009	Domestic assault 1st degree - serious physical injury	565.072-001Y199913	A	VIO	CHRG	58	13.8%	16.7%	37.5%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
13011	Assault 1st degree - serious physical injury	565.050-001Y198413	A	VIO	CHRG	313	19.0%	22.7%	22.5%	14.3%	0.0%	21.4%	25.0%	0.0%	33.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
13015	Domestic assault 1st degree - 1st offense	565.072-002Y199913	B	VIO	CHRG	310	18.5%	23.8%	13.3%	21.4%	16.7%	15.4%	35.3%	11.1%	20.0%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
13017	Domestic assault 3rd degree - 3rd or subsequent offense	565.074-001Y200013	D	VIO	GROUP	268	18.1%	24.6%	30.4%	29.6%	85.7%	35.7%	30.8%	50.0%	65.6%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
13018	Domestic assault 1st degree - prior domestic violence offense	565.072-004Y199813	B	VIO	GROUP	6	NA	NA	29.8%	NA	NA	31.4%	NA	NA	37.3%	NA	NA	40.2%	NA	NA	31.7%
13020	Assault 1st degree	565.050-002Y197913	B	VIO	CHRG	761	17.4%	21.7%	15.4%	23.3%	21.7%	18.0%	20.0%	33.3%	22.4%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
13021	Domestic assault 1st degree - persistent domestic violence of	565.072-005Y200013	B	VIO	GROUP	7	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
13024	Domestic assault 2nd degree - prior domestic violence offense	565.073-001Y200013	C	VIO	CHRG	104	NA	NA	42.9%	NA	NA	20.0%	NA	NA	20.0%	NA	NA	47.9%	NA	NA	38.8%
13026	Domestic assault 2nd degree - persistent domestic violence of	565.073-002Y200013	C	VIO	GROUP	65	NA	NA	30.4%	NA	NA	40.5%	NA	NA	16.7%	NA	NA	47.9%	NA	NA	38.8%
13029	Domestic assault 2nd degree - 1st offense	565.073-003Y199813	C	VIO	CHRG	5,960	22.4%	27.9%	33.5%	23.3%	30.6%	42.4%	39.6%	37.2%	46.5%	43.9%	51.3%	40.6%	54.3%	51.1%	41.0%
13031	Assault 2nd degree	565.060-001Y198413	C	VIO	CHRG	6,827	18.6%	26.2%	33.9%	29.3%	28.6%	41.6%	32.2%	29.8%	45.4%	41.5%	37.5%	54.6%	45.9%	56.7%	29.8%
13033	Assault 2nd degree - operate vehicle while intoxicated - resu	565.060-002Y198413	C	VIO	CHRG	1,791	9.7%	13.5%	20.0%	12.6%	14.5%	29.5%	28.0%	33.3%	46.0%	25.0%	23.1%	36.7%	51.8%	51.0%	38.8%
13036	Assault 2nd degree - operate motor vehicle with criminal negl	565.060-003Y200613	C	VIO	GROUP	18	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
13039	Assault 3rd degree - 3rd or subsequent offense against family	565.070-001Y199813	D	VIO	GROUP	40	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
13045	Assault motivated by discrimination 3rd degree	557.035-001Y199913	D	VIO	GROUP	5	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
13055	Assault while on school property	565.075-001Y199613	D	VIO	GROUP	71	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
13071	Violence to an employee of department of corrections or to an	217.385-001Y199513	B	VIO	GROUP	100	26.9%	28.5%	29.8%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
13100	Assault/attempt assault 1st degree on law enforcement officer	565.081-001Y198913	A	VIO	GROUP	67	26.9%	28.5%	29.8%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
13103	Assault/attempt assault 2nd degree on law enforcement officer	565.082-001Y200513	B	VIO	CHRG	93	12.9%	33.3%	25.0%	14.3%	50.0%	16.7%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
13105	Assault or attempts assault on emergency personnel or probati	565.081-999Y200313	A	VIO	GROUP	5	26.9%	28.5%	29.8%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
13110	Assault on law enforcement officer (reckless/seriousphysicali	565.082-999Y198913	B	VIO	CHRG	346	14.5%	37.5%	37.3%	27.3%	25.0%	31.3%	46.7%	46.2%	40.5%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
13113	Assault/attempt assault 2nd degree on law enforcement officer	565.082-002Y200513	C	VIO	CHRG	434	19.8%	52.2%	32.1%	34.1%	33.3%	46.9%	40.0%	50.0%	48.9%	42.9%	50.0%	61.1%	51.8%	51.0%	38.8%
13115	Assault on a law enforcement officer while intoxicated(alcoho	565.082-997Y198913	B	VIO	GROUP	20	26.9%	28.5%	29.8%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
13127	Assault/attempt assault 2nd degree on law enforcement officer	565.082-003Y200513	B	VIO	CHRG	77	19.2%	22.2%	44.4%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
13133	Assault - vehicular - 2nd degree on law enforcement officer,c	565.082-004Y200513	B	VIO	GROUP	21	26.9%	28.5%	29.8%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
13137	Assault/attempt assault on emergency personnel (by meansoth	565.082-994Y200413	C	VIO	GROUP	6	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
13140	Assault/attempt assault on law enforcement officer(by meanso	565.082-993Y200313	B	VIO	GROUP	8	26.9%	28.5%	29.8%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
13142	Assault/attempt assault on law enforcement officer (by meanso	565.082-992Y200413	C	VIO	GROUP	37	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%

# Appendix I: Percent of Offenders Incarcerated for New Felony Sentences After Two Years from Start of Probation or Release from Prison, by Prior Criminal History, Disposition of Sentence and Offense, Fiscal 2002-2015

Old Charge Code	Offense Description	New Charge Code RSMo-identifier	Felony Class	Offense Group	Recid Calc.*	Total Count	Prior Criminal History														
							LEVEL I			LEVEL II			LEVEL III			LEVEL IV			LEVEL V		
							Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.
13143	Assault 2nd degree on law enforcement officer, corrections of	565.082-006Y200513	C	VIO	CHRG	284	15.3%	44.0%	41.7%	30.8%	11.1%	27.8%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
13145	Assault 2nd degree on law enforcement officer, corrections of	565.082-007Y200513	C	VIO	CHRG	141	18.4%	33.3%	66.7%	31.6%	20.0%	29.4%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
13146	Assault on law enforcement officer(criminal negligence-meanso	565.082-990Y200413	C	VIO	GROUP	5	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
13147	Assault 2nd degree on law enforcement officer, corrections of	565.082-008Y200513	C	VIO	CHRG	78	24.1%	20.0%	60.0%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
13150	Assault on law enforcement officer (criminal negligence-creat	565.082-988Y200413	C	VIO	GROUP	30	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
13152	Assault on law enforcement officer (purposely/recklessly place	565.082-987Y200413	C	VIO	GROUP	25	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
13154	Assault on emergency personnel (purposely/recklessly placepe	565.082-986Y200413	C	VIO	GROUP	5	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
13156	Endanger correctional employee/visitor/another offender by at	565.085-001Y200513	D	VIO	GROUP	52	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
13160	Endanger correctional employee/visitor/another offender by at	565.085-003Y200513	C	VIO	GROUP	6	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
14010	Burglary 1st degree	569.160-001Y197922	B	NVI	CHRG	2,996	28.6%	46.0%	44.2%	40.9%	50.8%	51.0%	39.6%	45.8%	48.0%	42.6%	51.9%	53.2%	51.6%	51.8%	42.9%
14020	Burglary 2nd degree	569.170-001Y197922	C	NVI	CHRG	19,190	31.8%	53.1%	54.7%	42.9%	51.8%	54.7%	48.4%	50.8%	53.7%	51.3%	56.6%	52.6%	38.9%	49.7%	43.1%
14030	Possession of burglary tools	569.180-001Y197922	D	NVI	CHRG	347	29.0%	16.7%	33.3%	33.3%	36.4%	50.0%	35.7%	60.0%	51.6%	33.3%	60.0%	54.5%	40.0%	51.8%	43.3%
15009	Appropriate material <\$500 with intent to manufacture, compou	570.030-003Y201123	C	NVI	GROUP	5	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15010	Stealing	570.030-999Y190023	C	NVI	CHRG	3,708	15.3%	39.4%	37.5%	25.1%	53.7%	43.9%	43.9%	51.9%	47.3%	36.4%	48.0%	57.1%	33.3%	61.1%	22.2%
15012	Theft of anhydrous-ammonia	570.030-997Y199823	D	NVI	GROUP	55	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15014	Theft of anhydrous ammonia by truck, trailer, rail tank car,s	570.030-004Y200123	A	NVI	GROUP	18	21.8%	40.6%	39.8%	34.3%	46.0%	45.5%	35.4%	41.4%	45.1%	38.8%	47.7%	44.8%	46.5%	47.7%	41.1%
15015	Theft/attempt theft of anhydrous ammonia or liquid nitrogen	570.030-995Y200123	C	NVI	CHRG	170	39.1%	25.0%	81.8%	45.0%	42.9%	20.0%	28.6%	80.0%	30.0%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15016	Theft of ammonium nitrate	570.030-005Y200223	C	NVI	GROUP	23	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15017	Theft/stealing of any controlled substance as defined by sect	570.030-006Y197923	C	NVI	GROUP	434	21.2%	44.7%	46.1%	36.5%	50.0%	61.5%	46.2%	25.0%	60.0%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15018	Theft/stealing (value of property or services is \$25,000 or mo	570.030-007Y200223	B	NVI	CHRG	463	5.9%	15.0%	14.8%	11.6%	0.0%	20.0%	35.4%	41.4%	45.1%	38.8%	47.7%	44.8%	46.5%	47.7%	41.1%
15019	Theft/attempt theft of anhydrous ammonia or liquid nitrogenre	570.030-994Y200323	B	NVI	GROUP	93	21.8%	40.6%	39.8%	34.3%	46.0%	45.5%	0.0%	33.3%	20.0%	38.8%	47.7%	44.8%	46.5%	47.7%	41.1%
15020	Stealing a motor vehicle - 1st offense	570.030-008Y191924	C	NVI	CHRG	2,222	29.8%	52.1%	48.3%	34.6%	39.6%	59.8%	50.0%	66.7%	62.7%	42.2%	67.6%	57.5%	50.0%	52.8%	40.0%
15021	Theft/stealing (value of property or services is \$500 or more	570.030-009Y200223	C	NVI	CHRG	17,257	16.0%	39.7%	44.7%	26.8%	48.0%	50.0%	38.5%	49.8%	45.7%	41.2%	52.9%	48.0%	38.6%	49.2%	42.8%
15022	Stealing a watercraft or aircraft - 1st offense	570.030-010Y200324	C	NVI	GROUP	22	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15023	Theft/stealing of any firearm	570.030-011Y200323	C	NVI	CHRG	389	35.6%	36.6%	58.8%	37.0%	40.0%	60.0%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15025	Theft/stealing of any credit card or letter of credit	570.030-013Y197923	C	NVI	CHRG	1,430	20.5%	50.0%	48.4%	39.3%	39.4%	64.9%	41.3%	45.8%	45.9%	33.3%	50.0%	44.7%	60.0%	100.0%	34.4%
15026	Theft/attempt theft of anhydrous ammonia or liquid nitrogen	570.030-993Y200423	C	NVI	GROUP	10	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15027	Theft/stealing of any livestock animal	570.030-014Y197923	C	NVI	GROUP	50	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15028	Theft/attempt theft of anhydrous ammonia or liquid nitrogen	570.030-015Y200523	B	NVI	GROUP	73	21.8%	40.6%	39.8%	34.3%	46.0%	45.5%	35.4%	41.4%	45.1%	38.8%	47.7%	44.8%	46.5%	47.7%	41.1%
15029	Theft/stealing live fish raised for commercial sale with a va	570.030-016Y200323	C	NVI	GROUP	6	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15032	Stealing animals	570.033-001Y198723	D	NVI	GROUP	67	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15034	Stealing--3rd offense	570.040-999Y197923	C	NVI	GROUP	231	21.2%	44.7%	46.1%	35.3%	50.0%	50.0%	57.1%	57.1%	52.6%	40.0%	73.3%	53.8%	33.3%	75.0%	40.0%
15035	Stealing related offense-3rd offense	570.040-998Y200223	C	NVI	CHRG	284	16.7%	80.0%	64.7%	17.4%	27.3%	62.9%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15036	Stealing related offense - 3rd offense (includes stealing orb	570.040-001Y200323	D	NVI	CHRG	828	38.8%	38.5%	63.2%	31.1%	53.8%	63.3%	47.2%	53.6%	51.9%	42.6%	61.1%	51.3%	45.3%	57.7%	43.1%
15038	Physically take property appropriated from victim	570.030-019Y200323	C	NVI	CHRG	303	26.8%	62.5%	56.0%	35.7%	25.0%	60.0%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15039	Theft/stealing a united states national flag designed, intend	570.030-020Y200323	C	NVI	GROUP	5	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15041	Stealing motor vehicle - 3rd or subsequent stealing-relatedof	570.030-021Y200524	B	NVI	GROUP	5	21.8%	40.6%	39.8%	34.3%	46.0%	45.5%	35.4%	41.4%	45.1%	38.8%	47.7%	44.8%	46.5%	47.7%	41.1%
15046	Theft/stealing of any pleading, notice, judgment or any other	570.030-025Y197923	C	NVI	GROUP	9	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15055	Steal wire/electrical transformer or other device/pipe	570.055-001Y200823	C	NVI	GROUP	47	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15065	Theft or attempt theft of cable tv services (\$500 or more)	570.300-002Y200223	C	NVI	GROUP	17	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15080	Stealing grain	411.770-001Y198623	C	NVI	GROUP	19	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15110	Misapplication of funds of financial institution (over \$1000)	570.217-001Y198523	C	NVI	GROUP	9	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15140	Check kiting	570.220-001Y198523	C	NVI	GROUP	51	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
15202	Stealing leased or rented property	578.150-001Y201123	C	NVI	GROUP	20	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
16010	Kidnapping	565.110-001Y190010	A	VIO	GROUP	23	26.9%	28.5%	29.8%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
16020	Kidnapping - facilitating a felony or flight thereafter/infi	565.110-002Y195010	B	VIO	CHRG	170	14.9%	21.4%	16.1%	28.6%	14.3%	44.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
16025	Child kidnapping	565.115-001Y200410	A	VIO	GROUP	5	26.9%	28.5%	29.8%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
16030	Felonious restraint	565.120-001Y197910	C	VIO	CHRG	724	16.0%	36.6%	24.5%	22.7%	34.5%	42.9%	30.4%	0.0%	47.8%	45.0%	55.6%	40.0%	51.8%	51.0%	38.8%
16060	Interference with custody - removed from state or concealed	565.150-001Y197910	D	VIO	GROUP	44	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
16080	Parental kidnapping	565.153-003Y198810	D	VIO	GROUP	38	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%

# Appendix I: Percent of Offenders Incarcerated for New Felony Sentences After Two Years from Start of Probation or Release from Prison, by Prior Criminal History, Disposition of Sentence and Offense, Fiscal 2002-2015

Old Charge Code	Offense Description	New Charge Code RSMo-identifier	Felony Class	Offense Group	Recid Calc.*	Total Count	Prior Criminal History														
							LEVEL I			LEVEL II			LEVEL III			LEVEL IV			LEVEL V		
							Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.
16090	Child abduction	565.156-001Y198810	D	VIO	GROUP	35	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
17010	Arson 1st degree	569.040-001Y197720	B	VIO	CHRG	161	11.4%	28.6%	25.0%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
17020	Arson 2nd degree	569.050-001Y197720	C	NVI	CHRG	590	21.5%	37.5%	34.9%	26.7%	22.2%	30.0%	17.6%	70.0%	55.2%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
17022	Arson 2nd degree - causing serious physical injury or death	569.050-002Y198720	B	VIO	GROUP	6	26.9%	28.5%	29.8%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
17030	Knowingly burning or exploding	569.055-001Y197920	D	NVI	CHRG	363	21.9%	23.8%	47.6%	28.6%	63.6%	58.8%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
18010	Forgery	570.090-001Y193725	C	NVI	CHRG	14,585	22.4%	45.8%	39.6%	32.2%	46.2%	40.9%	44.4%	50.8%	52.5%	46.3%	47.2%	51.6%	36.2%	52.6%	47.2%
18011	Counterfeiting	570.103-001Y199825	C	NVI	GROUP	45	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
18012	Counterfeiting	570.103-002Y199825	D	NVI	GROUP	16	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
18020	Possession of a forging instrument	570.100-001Y197525	C	NVI	GROUP	65	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
19010	Passing a bad check	570.120-999Y190026	D	NVI	CHRG	1,600	15.1%	25.0%	27.3%	27.2%	50.0%	35.8%	44.0%	33.3%	46.8%	44.0%	66.7%	26.1%	40.0%	40.0%	53.3%
19011	Passing bad check- \$500 or more- no account/insufficient funds	570.120-998Y200226	D	NVI	CHRG	2,091	17.5%	37.7%	35.5%	30.1%	30.8%	39.8%	35.9%	57.1%	32.1%	47.8%	14.3%	48.3%	49.2%	44.4%	22.0%
19013	Passing bad check (value \$500 or more) no account/insufficient	570.120-001Y200526	C	NVI	CHRG	2,864	16.8%	46.2%	34.0%	26.2%	38.6%	28.7%	38.1%	43.5%	44.4%	45.5%	72.7%	34.5%	46.3%	52.4%	38.3%
19015	Fraudulently stop payment of an instrument over \$150	570.125-999Y198326	D	NVI	GROUP	8	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
19016	Fraudulently stop payment of an instrument(s) (value of \$500 or more)	570.125-001Y200226	D	NVI	GROUP	38	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
19030	Fraudulent use of credit/debit device (value \$500 or more)	570.130-001Y196526	D	NVI	CHRG	1,275	14.0%	66.7%	43.8%	27.3%	37.8%	44.7%	48.5%	46.2%	55.6%	41.5%	52.3%	49.5%	31.6%	33.3%	36.8%
19042	Willfully/knowingly with intent to defraud violate the credit	407.436-001Y199126	D	NVI	GROUP	5	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
19045	Deceptive business practice	407.020-001Y196726	D	NVI	GROUP	19	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
19080	Defrauding secured creditors (value \$500 or more)	570.180-001Y197526	D	NVI	GROUP	71	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
19173	Sale or possession of equipment or parts with altered identifier	301.390-001Y198626	D	NVI	GROUP	39	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
19180	Violation of section 301.400 regarding removal of manufacturer's identification	301.400-001Y197526	C	NVI	GROUP	7	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
19253	Identity theft or attempt (value \$5,001 - \$50,000)	570.223-002Y200526	B	NVI	GROUP	33	21.8%	40.6%	39.8%	34.3%	46.0%	45.5%	35.4%	41.4%	45.1%	38.8%	47.7%	44.8%	46.5%	47.7%	41.1%
19255	Identity theft or attempt (value \$501 - \$5,000)	570.223-003Y200526	C	NVI	GROUP	183	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
19256	Identity theft (value \$501-\$10,000)	570.223-994Y200426	C	NVI	GROUP	16	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
19264	Trafficking in stolen identities	570.224-001Y200426	B	NVI	GROUP	20	21.8%	40.6%	39.8%	34.3%	46.0%	45.5%	35.4%	41.4%	45.1%	38.8%	47.7%	44.8%	46.5%	47.7%	41.1%
19368	Unlawful merchandise practice misrepresenting/unfair practice	407.020-002Y198626	D	NVI	GROUP	45	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
19430	Lien fraud - (value over \$500)	429.014-001Y198626	C	NVI	GROUP	8	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
19665	Perjury in application for public assistance (value \$500 or more)	578.385-001Y200226	D	NVI	GROUP	7	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
19775	Commission of fraudulent insurance act - 1st offense	375.991-001Y199226	D	NVI	GROUP	12	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
19776	Make a false statement/certificate/entry in insurance investment	374.210-001Y194926	D	NVI	GROUP	7	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
19870	Misappropriation of funds of elderly nursing home residents	198.097-001Y199726	D	NVI	GROUP	10	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
19880	Financial exploitation-elderly/disabled persons (property value over \$500)	570.145-999Y200026	C	NVI	GROUP	5	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
19881	Financial exploitation of elderly/disabled person (property value over \$500)	570.145-001Y200526	A	NVI	GROUP	5	21.8%	40.6%	39.8%	34.3%	46.0%	45.5%	35.4%	41.4%	45.1%	38.8%	47.7%	44.8%	46.5%	47.7%	41.1%
19883	Financial exploitation of elderly/disabled person (property value over \$500)	570.145-002Y200526	B	NVI	GROUP	52	21.8%	40.6%	39.8%	34.3%	46.0%	45.5%	35.4%	41.4%	45.1%	38.8%	47.7%	44.8%	46.5%	47.7%	41.1%
19884	Financial exploitation of an elderly/disabled person (property value over \$500)	570.145-003Y200326	C	NVI	GROUP	26	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
19886	Financial exploitation of an elderly/disabled person (property value over \$500)	570.145-004Y200326	D	NVI	GROUP	10	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
20040	Promoting gambling 1st degree	572.030-001Y197539	D	NVI	GROUP	13	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
20260	Violation of laws pertaining to river boat gambling	313.830-007Y199339	D	NVI	GROUP	22	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
21015	Prostitution - persistent offender	567.020-002Y199740	D	NVI	GROUP	12	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
21040	Promoting prostitution 2nd degree	567.060-001Y197540	C	NVI	GROUP	16	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
21050	Promoting prostitution 3rd degree	567.070-001Y197540	D	NVI	GROUP	34	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
22011	Sexual misconduct 1st degree - previous conviction under chapter 210	566.090-998Y199536	D	SEX	GROUP	47	18.6%	19.9%	18.9%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
22021	Sexual abuse - serious physical injury/displays deadly weapon	566.100-998Y199536	B	SEX	GROUP	19	24.0%	29.2%	20.5%	33.8%	24.0%	23.6%	45.5%	36.4%	31.4%	38.5%	50.0%	44.4%	46.9%	30.8%	30.0%
22022	Sexual abuse	566.100-997Y199536	C	SEX	CHRG	104	30.0%	10.0%	22.2%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
22025	Sexual misconduct involving a child 1st offense replaced by 22027	566.083-999Y199736	D	SEX	CHRG	131	26.0%	16.7%	5.3%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
22027	Sexual misconduct or attempt involving a child less than 15 years	566.083-001Y200536	D	SEX	CHRG	225	21.0%	12.5%	15.8%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
22030	Sexual abuse 1st degree	566.100-996Y197936	D	SEX	GROUP	8	18.6%	19.9%	18.9%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
22035	Sexual misconduct involving a child 2nd or subsequent offense	566.083-998Y199736	C	SEX	GROUP	14	18.6%	19.9%	18.9%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
22037	Sexual misconduct or attempt involving a child less than 15 years	566.083-002Y200536	C	SEX	GROUP	15	18.6%	19.9%	18.9%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
22055	Sexual exploitation of a child	573.023-998Y200036	B	SEX	GROUP	7	24.0%	29.2%	20.5%	33.8%	24.0%	23.6%	45.5%	36.4%	31.4%	38.5%	50.0%	44.4%	46.9%	30.8%	30.0%
22090	Incest	568.020-001Y190036	D	SEX	CHRG	55	36.4%	14.3%	14.3%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%

# Appendix I: Percent of Offenders Incarcerated for New Felony Sentences After Two Years from Start of Probation or Release from Prison, by Prior Criminal History, Disposition of Sentence and Offense, Fiscal 2002-2015

Old Charge Code	Offense Description	New Charge Code RSMO-identifier	Felony Class	Offense Group	Recid Calc.*	Total Count	Prior Criminal History														
							LEVEL I			LEVEL II			LEVEL III			LEVEL IV			LEVEL V		
							Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.
22100	Child molestation-1st deg-disply deadly weapon/serious injury	566.067-999Y199536	B	SEX	GROUP	17	24.0%	NA	20.5%	33.8%	NA	23.6%	45.5%	NA	31.4%	38.5%	NA	44.4%	46.9%	NA	30.0%
22102	Child molestation 1st degree - previous conviction under chap	566.067-001Y200036	A	SEX	GROUP	10	24.0%	NA	20.5%	33.8%	NA	23.6%	45.5%	NA	31.4%	38.5%	NA	44.4%	46.9%	NA	30.0%
22105	Child molestation-1st degree	566.067-998Y199436	C	SEX	CHRG	75	16.0%	14.3%	5.3%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
22107	Child molestation 1st degree	566.067-003Y200036	B	SEX	CHRG	709	21.5%	29.1%	16.9%	31.8%	15.4%	15.8%	45.5%	36.4%	31.4%	38.5%	50.0%	44.4%	46.9%	30.8%	30.0%
22110	Child molestation 2nd degree - previous conviction under chap	566.068-001Y199536	D	SEX	GROUP	24	18.6%	19.9%	18.9%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
22130	Sexual contact with prisoner or offender by probation/paroleo	566.145-001Y200236	D	SEX	GROUP	31	18.6%	19.9%	18.9%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
22145	Attempt to entice a child (actor 21 yrs of age or older andch	566.151-997Y200236	D	SEX	GROUP	5	18.6%	19.9%	18.9%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
22205	Use of child in sexual performance	568.080-002Y198436	C	SEX	GROUP	17	18.6%	19.9%	18.9%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
22206	Promoting a sexual performance by a child	568.090-001Y199736	C	SEX	GROUP	5	18.6%	19.9%	18.9%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
22330	Fail to register with law enforcement official as requiredbys	589.425-999Y200436	C	NVI	GROUP	8	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
22332	Fail to register with law enforcement official as requiredund	589.425-997Y200436	D	NVI	GROUP	47	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
22333	Failure to submit offender registration form to chief lawenfo	589.425-996Y200436	D	NVI	GROUP	7	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
22336	Include false information in an offender registrationstatemen	589.425-993Y200436	D	NVI	GROUP	5	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
22340	Failure to timely verify information made in statement foroff	589.425-989Y200436	D	NVI	GROUP	6	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
22341	Fail to timely verify information made in statement foroffend	589.425-988Y200436	D	NVI	GROUP	5	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
22344	Failure of offender to inform chief law enforcement officerof	589.425-985Y200436	D	NVI	GROUP	10	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
22352	Prior offender reside within 1000 feet of a school or childca	566.147-002Y200436	D	SEX	GROUP	79	18.6%	19.9%	18.9%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
22354	Fail to notify sheriff of prior residency within 1000 feet of	566.147-003Y200436	D	SEX	GROUP	11	18.6%	19.9%	18.9%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
22361	Fail to register as a sex offender pursuant to sections 589.4	589.425-001Y200836	D	NVI	CHRG	485	32.0%	60.0%	60.0%	29.1%	50.0%	36.8%	38.0%	37.5%	56.8%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
22364	Sex offender physically present/loiter within 500 feet of apa	566.150-002Y200936	D	SEX	GROUP	10	18.6%	19.9%	18.9%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
22365	Fail to register as a sex offender pursuant to sections 589.40	589.425-978Y200636	D	SEX	GROUP	79	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
22366	Fail to register as a sex offender pursuant to sections 589.4	589.425-002Y200836	C	NVI	GROUP	80	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
22370	Fail to register as a sex offender pursuant to sections 589.4	589.425-003Y200636	D	NVI	GROUP	90	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
22375	Fail to register as a sex offender pursuant to sections 589.4	589.425-004Y200636	C	NVI	GROUP	70	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
23010	Tampering with service of utility or institution 1st degree	569.080-001Y194929	C	NVI	CHRG	544	38.3%	50.0%	62.3%	57.7%	60.0%	63.6%	60.9%	61.5%	66.2%	50.0%	81.8%	60.6%	40.0%	51.8%	43.3%
23013	Tampering with motor vehicle 1st degree	569.080-002Y200529	C	NVI	CHRG	4,499	33.1%	49.1%	55.5%	45.8%	57.3%	55.8%	51.9%	48.4%	61.3%	47.2%	60.0%	54.5%	40.0%	54.0%	56.9%
23014	Tampering with airplane/motorboat 1st degree	569.080-003Y200529	C	NVI	CHRG	321	36.2%	70.0%	56.5%	45.0%	58.3%	59.4%	35.7%	50.0%	48.8%	33.3%	66.7%	82.4%	40.0%	51.8%	43.3%
23015	Tampering 1st degree w ntr veh, airplane/motor boat, etc	569.080-007Y198229	C	NVI	CHRG	3,859	35.7%	50.0%	68.8%	43.7%	60.7%	60.5%	49.2%	62.8%	67.1%	60.9%	79.5%	59.4%	45.5%	64.5%	60.3%
23031	Tampering with property of another - 2nd degree - motivatedby	557.035-002Y199929	D	NVI	GROUP	11	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
23038	Tampering with airplane/motorboat 2nd degree (prior convictio	569.090-005Y200529	C	NVI	GROUP	6	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
23039	Tampering with motor vehicle 2nd degree (prior conviction/fin	569.090-006Y200529	C	NVI	GROUP	11	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
23106	Property damage motivated by discrimination 1st degree	557.035-003Y199929	C	NVI	GROUP	10	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
23108	Property damage motivated by discrimination 2nd degree	557.035-004Y199929	D	NVI	GROUP	7	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
23110	Property damage 1st degree	569.100-001Y197929	D	NVI	CHRG	2,091	19.8%	36.4%	46.2%	29.0%	53.1%	37.9%	40.3%	68.8%	54.7%	36.4%	23.5%	46.3%	50.0%	50.0%	47.4%
23225	Institutional vandalism (value over \$5,000)	574.085-001Y199629	C	NVI	GROUP	10	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
23230	Institutional vandalism (value \$1,000 to \$5,000)	574.085-002Y199629	D	NVI	GROUP	6	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
23241	Damage to department of corrections building or property byan	217.385-002Y199529	C	NVI	GROUP	15	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
23245	Damage to jail/jail property	221.353-001Y199729	D	NVI	GROUP	281	21.2%	44.7%	46.1%	52.8%	66.7%	56.0%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
24010	Receiving stolen property \$150 or more	570.080-999Y190028	C	NVI	CHRG	741	27.7%	55.0%	56.8%	38.2%	55.6%	40.6%	52.6%	75.0%	59.0%	40.0%	40.0%	61.9%	40.0%	51.8%	43.3%
24015	Receiving stolen property	570.080-002Y200228	C	NVI	CHRG	3,396	25.2%	40.0%	39.1%	31.6%	43.9%	42.6%	39.3%	50.0%	44.7%	37.2%	47.4%	40.7%	40.7%	39.1%	43.2%
24027	Receiving stolen property - 3rd offense	570.080-004Y200228	D	NVI	GROUP	11	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
24030	Alter or remove item number with intentto deprive lawful owne	570.085-999Y197528	D	NVI	GROUP	6	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
24035	Altering or removing item number to deprive lawful owner (val	570.085-001Y200228	D	NVI	GROUP	8	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
24100	Failure to return leased or rentedproperty valued \$150 or mor	578.150-999Y198128	C	NVI	GROUP	102	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
24105	Failure to return leased or rented property (value of \$500 or	578.150-998Y200228	C	NVI	GROUP	338	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
25010	Promoting obscenity 1st degree	573.020-001Y197537	D	SEX	GROUP	5	18.6%	19.9%	18.9%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
25029	Possession of child pornography	573.037-996Y200437	D	SEX	CHRG	108	15.1%	33.3%	16.7%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
25050	Promoting child pornography 1st degree	573.025-001Y198537	B	SEX	CHRG	22	NA	NA	33.3%	NA	NA	23.6%	NA	NA	31.4%	NA	NA	44.4%	NA	NA	30.0%
25063	Promoting child pornography 2nd degree	573.035-001Y200037	C	SEX	GROUP	6	NA	NA	18.9%	NA	NA	30.8%	NA	NA	36.1%	NA	NA	45.7%	NA	NA	39.2%
25080	Possession of child pornography - 2nd/subsequent offense orp	573.037-001Y200837	B	SEX	GROUP	44	24.0%	29.2%	20.5%	33.8%	24.0%	23.6%	45.5%	36.4%	31.4%	38.5%	50.0%	44.4%	46.9%	30.8%	30.0%

# Appendix I: Percent of Offenders Incarcerated for New Felony Sentences After Two Years from Start of Probation or Release from Prison, by Prior Criminal History, Disposition of Sentence and Offense, Fiscal 2002-2015

Old Charge Code	Offense Description	New Charge Code RSMo-identifier	Felony Class	Offense Group	Recid Calc.*	Total Count	Prior Criminal History														
							LEVEL I			LEVEL II			LEVEL III			LEVEL IV			LEVEL V		
							Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.
25085	Possession of child pornography - 1st offense	573.037-002Y200837	C	SEX	CHRG	47	9.7%	14.3%	40.0%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
26030	Non-support leave state	568.040-999Y190038	D	NVI	GROUP	6	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
26031	Nonsupport in each of 6 individual months within any 12-month	568.040-998Y199338	D	NVI	CHRG	12,102	11.0%	31.6%	28.0%	17.4%	41.1%	30.8%	27.8%	49.1%	41.1%	37.3%	58.6%	41.4%	36.9%	48.4%	38.7%
26035	Non-support, total arrears in excess of 12 monthly paymentsdu	568.040-001Y200938	D	NVI	GROUP	2,409	21.2%	44.7%	46.1%	11.4%	83.3%	31.6%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
26045	Endangering welfare of a child 1st degree	568.045-001Y200338	C	SEX	CHRG	1,802	15.0%	20.2%	26.2%	22.4%	26.2%	32.3%	35.2%	41.7%	42.4%	47.8%	63.6%	33.3%	36.0%	30.8%	39.2%
26047	Endangering the welfare of a child - 1st degree - 1st offense	568.045-003Y200338	C	SEX	GROUP	20	18.6%	19.9%	18.9%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
26048	Endangering the welfare of a child - 1st degree - ritual/cere	568.045-004Y200338	B	SEX	GROUP	8	24.0%	29.2%	20.5%	33.8%	24.0%	23.6%	45.5%	36.4%	31.4%	38.5%	50.0%	44.4%	46.9%	30.8%	30.0%
26051	Endangering welfare of child in ritual/ceremony, 1st deg 2nd	568.045-999Y199038	C	SEX	CHRG	50	25.9%	0.0%	20.0%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
26052	Endangering welfare of child 1st degree	568.045-998Y199038	D	SEX	CHRG	594	16.3%	20.4%	27.1%	24.1%	35.7%	47.4%	40.0%	33.3%	63.6%	66.7%	50.0%	54.5%	36.0%	30.8%	39.2%
26053	Endangering welfare of child in ritual/ceremony 2nd degree	568.050-002Y199038	D	SEX	GROUP	63	18.6%	19.9%	18.9%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
26055	Abuse of child - serious emotional injury	568.060-998Y198438	B	SEX	GROUP	13	24.0%	29.2%	20.5%	33.8%	24.0%	23.6%	45.5%	36.4%	31.4%	38.5%	50.0%	44.4%	46.9%	30.8%	30.0%
26058	Endangering the welfare of a child 2nd degree (intoxication/b	568.050-004Y200538	D	SEX	GROUP	13	18.6%	19.9%	18.9%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
26063	Abuse of child	568.060-995Y198438	C	SEX	CHRG	879	10.0%	20.7%	17.9%	17.5%	22.2%	31.8%	25.7%	25.0%	37.5%	62.5%	40.0%	50.0%	36.0%	30.8%	39.2%
26064	Abuse or neglect of a child under sec. 568.060.5(1)	568.060-002Y201238	C	SEX	GROUP	6	18.6%	NA	18.9%	24.8%	NA	30.8%	37.7%	NA	36.1%	61.3%	NA	45.7%	36.0%	NA	39.2%
26083	Violation of order of protection for adult-2nd offense	455.085-998Y198938	D	NVI	CHRG	230	28.2%	30.0%	47.8%	33.3%	20.0%	53.3%	42.9%	33.3%	60.0%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
26170	Elder abuse 2nd degree	565.182-001Y200338	B	VIO	GROUP	21	26.9%	28.5%	29.8%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
27020	Resisting/interfering with arrest for a felony	575.150-001Y195048	D	NVI	CHRG	1,771	21.5%	44.1%	39.6%	37.3%	39.7%	40.5%	42.1%	58.5%	55.2%	45.5%	40.0%	59.4%	40.0%	57.1%	44.8%
27025	Resisting arrest/detention/stop by fleeing - creating a subst	575.150-002Y200548	D	NVI	CHRG	1,305	18.9%	25.8%	41.5%	29.9%	29.0%	48.6%	28.4%	27.0%	46.5%	48.8%	20.8%	46.8%	40.0%	38.1%	37.5%
27035	Resist arrest by fleeing-creating substantial risk of serious	575.150-998Y200248	D	NVI	GROUP	265	21.2%	44.7%	46.1%	24.0%	28.6%	59.3%	37.3%	50.0%	50.5%	80.0%	50.0%	33.3%	40.0%	51.8%	43.3%
28030	Escape or attempted escape from custody while under arrest fo	575.200-002Y197549	D	NVI	GROUP	81	21.2%	44.7%	46.1%	42.9%	66.7%	66.7%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
28051	Escape or attempted escape from department of corrections	575.210-002Y199449	B	NVI	GROUP	17	21.8%	40.6%	39.8%	34.3%	46.0%	45.5%	35.4%	41.4%	45.1%	38.8%	47.7%	44.8%	46.5%	47.7%	41.1%
28065	Escape or attempted escape from confinement	575.210-004Y198649	D	NVI	GROUP	80	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
28080	Fail to return to confinement to department of corrections	575.220-001Y197549	D	NVI	GROUP	64	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
28100	Aiding escape of prisoner confined for afelony	575.230-999Y197549	D	NVI	GROUP	5	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
28115	Aiding escape of prisoner confined for felony	575.230-002Y200149	B	NVI	GROUP	8	21.8%	40.6%	39.8%	34.3%	46.0%	45.5%	35.4%	41.4%	45.1%	38.8%	47.7%	44.8%	46.5%	47.7%	41.1%
29010	Concealing a felony	575.020-001Y197550	D	NVI	GROUP	5	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
29030	Hindering prosecution of felony	575.030-001Y197550	D	NVI	GROUP	184	21.2%	44.7%	46.1%	36.8%	60.0%	28.6%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
29070	Perjury in a procedure involving a felony charge	575.040-002Y197550	C	NVI	GROUP	23	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
29075	Perjury in a procedure not involving a felony charge	575.040-004Y197550	D	NVI	GROUP	14	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
29110	Tampering with physical evidence in felony prosecution	575.100-001Y197550	D	NVI	GROUP	157	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
29173	Violation of order of protection for adult - 2nd offense	455.085-001Y200950	D	NVI	GROUP	77	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
29217	Tampering with judicial officer	565.084-001Y199750	C	NVI	GROUP	47	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
29220	Tampering with judicial proceeding	575.260-001Y197550	C	NVI	GROUP	11	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
29230	Tampering with a victim or a witness or attempt tampering wit	575.270-001Y197950	C	NVI	CHRG	109	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
29320	Bribery of a public servant	576.010-999Y197551	D	NVI	GROUP	8	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
29330	Acceding to corruption by a public servant	576.020-999Y197551	D	NVI	GROUP	7	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
29375	Failure to appear - felony	544.665-001Y200950	D	NVI	GROUP	20	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
29409	Tampering with electronic monitoring equipment	575.205-001Y200550	C	NVI	GROUP	19	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
31010	Armed criminal action	571.015-001Y197552	U	VIO	CHRG	91	NA	NA	8.9%	NA	NA	12.5%	NA	NA	16.7%	NA	NA	40.2%	NA	NA	31.7%
31015	Unlawful use of weapon motivated by discrimination	557.035-005Y199952	C	NVI	GROUP	38	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
31020	Unlawful use of weapon (subsections 1-4)	571.030-999Y195052	D	NVI	CHRG	6,536	16.4%	35.8%	43.9%	21.4%	41.9%	52.6%	33.5%	53.3%	45.2%	47.6%	38.1%	45.7%	50.0%	50.0%	40.9%
31040	Unlawful transfer of weapon to felon, fugitive, addict or inc	571.060-001Y197552	D	NVI	GROUP	31	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
31065	Unlawful possession of a firearm	571.070-001Y200852	C	NVI	GROUP	628	21.2%	44.7%	46.1%	15.5%	41.2%	40.5%	18.1%	35.0%	43.3%	31.1%	50.0%	37.5%	14.3%	16.7%	33.3%
31070	Unlawful possession of concealablefirearm	571.070-999Y197552	C	NVI	GROUP	60	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
31075	Knowingly possess explosive, incendiary or poisonous substan	571.020-999Y200252	C	NVI	GROUP	17	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
31080	Unlawful possession, transport, manufacture, repair or saleof	571.020-001Y197552	C	NVI	GROUP	226	21.2%	44.7%	46.1%	17.6%	11.1%	25.0%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
31127	Carry loaded firearm/weapon into any school, onto school bus,	571.030-992Y200052	D	NVI	GROUP	34	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
31147	Discharge/shoot firearm at or from motor vehicle/shoot at per	571.030-001Y200352	B	VIO	GROUP	13	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
31149	Discharge/shoot firearm at or from motor vehicle/shoot at per	571.030-002Y200352	B	VIO	GROUP	6	NA	NA	29.8%	NA	NA	31.4%	NA	NA	37.3%	NA	NA	40.2%	NA	NA	31.7%
31151	Discharge/shoot firearm at or from motor vehicle/shoot at per	571.030-990Y199552	A	VIO	GROUP	8	26.9%	28.5%	29.8%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%

# Appendix I: Percent of Offenders Incarcerated for New Felony Sentences After Two Years from Start of Probation or Release from Prison, by Prior Criminal History, Disposition of Sentence and Offense, Fiscal 2002-2015

Old Charge Code	Offense Description	New Charge Code RSMO-identifier	Felony Class	Offense Group	Recid Calc.*	Total Count	Prior Criminal History														
							LEVEL I			LEVEL II			LEVEL III			LEVEL IV			LEVEL V		
							Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.
31152	Discharge/shoot firearm at or from motor vehicle/shoot at per	571.030-989Y199552	B	VIO	CHRG	104	24.6%	NA	33.3%	32.1%	NA	31.4%	38.6%	NA	37.3%	36.5%	NA	40.2%	36.8%	NA	31.7%
31162	Possess/discharge loaded firearm/projectile weapon while into	571.030-988Y200352	D	NVI	CHRG	379	12.5%	28.6%	62.5%	25.6%	40.0%	25.0%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
31163	Possess/discharge loaded firearm/projectile weapon while into	571.030-987Y201052	D	NVI	GROUP	58	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
31180	Gun,knife,weapon or other article that may be used to endanger	217.360-999Y198252	B	VIO	GROUP	9	26.9%	28.5%	29.8%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
31182	Deliver/attempt to deliver/possess/deposit/conceal gun/knife/	217.360-001Y200352	B	VIO	GROUP	18	26.9%	28.5%	29.8%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
31195	Delivery or possession of weapon at county/private jail	221.111-001Y198652	B	VIO	GROUP	25	26.9%	28.5%	29.8%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
32255	Keeping or maintaining a public nuisance	195.130-001Y198935	C	DRG	CHRG	238	9.5%	36.4%	0.0%	25.0%	50.0%	22.2%	31.4%	40.2%	45.2%	35.3%	41.8%	47.4%	35.1%	44.5%	51.4%
32320	Possess controlled substance unless authon premises of a corr	217.360-998Y198235	C	DRG	CHRG	238	11.2%	0.0%	0.0%	25.0%	37.7%	40.1%	23.1%	20.0%	26.5%	35.3%	41.8%	47.4%	35.1%	44.5%	51.4%
32322	Deliver/attempt to deliver/possess/deposit/conceal controlled	217.360-002Y200335	C	DRG	CHRG	393	15.7%	0.0%	23.5%	25.9%	22.2%	35.4%	31.4%	40.2%	45.2%	35.3%	41.8%	47.4%	42.9%	50.0%	53.1%
32327	Delivery or possession of a controlled substance at county/pr	221.111-002Y198635	C	DRG	CHRG	358	32.9%	40.0%	77.8%	34.8%	35.3%	58.6%	50.0%	33.3%	40.6%	35.3%	41.8%	47.4%	35.1%	44.5%	51.4%
32448	Possession of controlled substance except 35 grams or less ofm	195.202-999Y198935	A	DRG	GROUP	65	15.4%	22.9%	21.9%	20.0%	27.4%	26.5%	27.0%	33.6%	33.6%	35.6%	33.9%	36.0%	37.7%	37.4%	39.6%
32449	Possession of controlled substance except 35 grams or less ofm	195.202-998Y198935	B	DRG	GROUP	213	15.4%	22.9%	21.9%	11.8%	22.2%	14.3%	29.4%	40.0%	12.5%	35.6%	33.9%	36.0%	37.7%	37.4%	39.6%
32450	Possession of controlled substance except 35 grams or less of	195.202-001Y198935	C	DRG	CHRG	64,300	18.1%	34.0%	41.1%	24.8%	38.1%	39.7%	31.3%	39.8%	45.3%	35.5%	41.5%	46.9%	34.1%	44.4%	51.5%
32452	Possession of controlled substance except 35 grams or less of	195.202-002Y201035	C	DRG	GROUP	208	18.1%	33.5%	40.7%	25.0%	37.7%	40.1%	31.4%	40.2%	45.2%	35.3%	41.8%	47.4%	35.1%	44.5%	51.4%
32460	Fraudulently attempting to obtain controlled substance	195.204-001Y198935	D	DRG	CHRG	1,697	14.4%	47.1%	57.9%	26.1%	30.2%	48.9%	31.9%	71.4%	52.5%	35.3%	41.8%	47.4%	22.2%	60.0%	46.7%
32461	Manufacture/produce/attempt to manufacture/produce more tha	195.211-001Y200335	A	DRG	GROUP	134	15.4%	22.9%	21.9%	18.2%	0.0%	25.0%	27.0%	33.6%	33.6%	35.6%	33.9%	36.0%	37.7%	37.4%	39.6%
32463	Distribute/deliver/manufacture/produce or attempt to or posse	195.211-999Y198935	A	DRG	GROUP	218	NA	NA	21.9%	NA	NA	22.2%	NA	NA	33.3%	NA	NA	30.0%	NA	NA	33.3%
32465	Distribute/deliver/manufacture/produce or attempt to or posse	195.211-002Y198935	B	DRG	CHRG	21,438	15.8%	23.3%	22.9%	21.1%	26.1%	26.0%	28.2%	34.3%	35.0%	36.6%	36.5%	37.6%	39.2%	38.5%	39.8%
32470	Distributing or delivering not more than 5 grams marijuana	195.211-003Y198935	C	DRG	CHRG	1,507	15.7%	32.0%	34.3%	21.8%	17.9%	38.3%	21.4%	50.0%	43.8%	37.5%	57.1%	65.0%	35.1%	44.5%	51.4%
32475	Distribute controlled substance to a minor	195.212-001Y198935	B	DRG	GROUP	87	15.4%	22.9%	21.9%	20.0%	27.4%	26.5%	27.0%	33.6%	33.6%	35.6%	33.9%	36.0%	37.7%	37.4%	39.6%
32480	Purchasing or transporting controlled substance with minor	195.213-001Y198935	B	DRG	GROUP	13	15.4%	22.9%	21.9%	20.0%	27.4%	26.5%	27.0%	33.6%	33.6%	35.6%	33.9%	36.0%	37.7%	37.4%	39.6%
32485	Distributing controlled substance near schools	195.214-001Y198935	A	DRG	CHRG	304	17.5%	23.1%	0.0%	2.8%	47.1%	28.6%	37.5%	23.1%	20.0%	0.0%	16.7%	11.1%	37.7%	37.4%	39.6%
32486	Distributing controlled substance near public housing or gove	195.218-001Y199335	A	DRG	CHRG	133	16.7%	36.4%	0.0%	20.0%	27.4%	26.5%	27.0%	33.6%	33.6%	35.6%	33.9%	36.0%	37.7%	37.4%	39.6%
32487	Provide reagents, solvents or precursor materials to anotherw	195.226-001Y198935	D	DRG	GROUP	105	18.1%	33.5%	40.7%	25.0%	37.7%	40.1%	31.4%	40.2%	45.2%	35.3%	41.8%	47.4%	35.1%	44.5%	51.4%
32488	Trafficking in drugs/attempt to traffic 1st degree/over statu	195.222-001Y198935	A	DRG	GROUP	6	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
32490	Trafficking in drugs/attempt to traffic 1st degree	195.222-002Y198935	A	DRG	CHRG	332	NA	NA	11.9%	NA	NA	13.6%	NA	NA	20.8%	NA	NA	31.3%	NA	NA	20.0%
32492	Trafficking in drugs/attempt to traffic 1st degree - near sch	195.222-003Y200135	A	DRG	GROUP	11	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
32495	Trafficking in drugs/attempt to traffic 2nd degree	195.223-001Y198935	A	DRG	CHRG	1,254	NA	NA	16.3%	NA	NA	26.8%	NA	NA	21.0%	NA	NA	16.7%	NA	NA	20.0%
32497	Trafficking in drugs/attempt to traffic 1st degree - withina	195.222-004Y200135	A	DRG	GROUP	11	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
32498	Trafficking in drugs/attempt to traffic 2nd degree/450 grams o	195.223-002Y198935	A	DRG	GROUP	18	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
32500	Trafficking in drugs/attempt to traffic 2nd degree	195.223-003Y198935	B	DRG	CHRG	3,198	16.0%	25.2%	23.3%	19.7%	39.9%	31.8%	25.0%	39.7%	33.3%	36.4%	16.7%	37.0%	29.2%	31.0%	52.2%
32506	Unlawful use of drug paraphernalia - amphetamine/methampheta	195.233-002Y198935	D	DRG	CHRG	794	20.2%	27.8%	43.5%	29.1%	41.7%	48.8%	36.0%	50.0%	43.3%	11.5%	40.0%	46.2%	30.0%	50.0%	56.5%
32510	Deliver/sell, possess with intent to deliver/sell, manufactur	195.235-001Y198935	D	DRG	CHRG	349	23.6%	22.2%	25.0%	20.8%	58.3%	35.0%	21.1%	14.3%	37.0%	35.3%	41.8%	47.4%	35.1%	44.5%	51.4%
32520	Delivery or manufacture of imitation controlled substance	195.242-001Y198935	D	DRG	CHRG	332	30.8%	50.0%	66.7%	42.4%	53.3%	52.6%	46.4%	42.9%	43.5%	25.0%	50.0%	81.8%	35.1%	44.5%	51.4%
32526	Possess any methamphetamine precursor drug with intent to mar	195.246-001Y199635	D	DRG	CHRG	1,308	19.3%	57.7%	40.0%	29.9%	45.5%	39.1%	36.0%	39.1%	43.9%	46.4%	33.3%	48.4%	35.7%	40.0%	63.3%
32527	Appropriate und 150 w int to manf/prod/etc amphet/methanphet	570.030-989Y198735	D	DRG	GROUP	13	18.1%	33.5%	40.7%	25.0%	37.7%	40.1%	31.4%	40.2%	45.2%	35.3%	41.8%	47.4%	35.1%	44.5%	51.4%
32529	Appropriate material less than \$500 with intent to manf,compo	570.030-988Y200235	D	DRG	GROUP	7	18.1%	33.5%	40.7%	25.0%	37.7%	40.1%	31.4%	40.2%	45.2%	35.3%	41.8%	47.4%	35.1%	44.5%	51.4%
32530	Distribute/dispense controlled substance or manufacture/distr	195.252-001Y198935	D	DRG	GROUP	6	18.1%	33.5%	40.7%	25.0%	37.7%	40.1%	31.4%	40.2%	45.2%	35.3%	41.8%	47.4%	35.1%	44.5%	51.4%
32531	Appropriate material under \$500 with the intent to manufacture	570.030-987Y200235	C	DRG	GROUP	8	18.1%	33.5%	40.7%	25.0%	37.7%	40.1%	31.4%	40.2%	45.2%	35.3%	41.8%	47.4%	35.1%	44.5%	51.4%
32534	Appropriate material <\$500 w/intent to manufacture,compoundp	570.030-985Y200535	C	DRG	GROUP	10	18.1%	33.5%	40.7%	25.0%	37.7%	40.1%	31.4%	40.2%	45.2%	35.3%	41.8%	47.4%	35.1%	44.5%	51.4%
32540	Unlawful delivery of controlled substance by manufacturer ord	195.254-001Y198935	D	DRG	GROUP	45	18.1%	33.5%	40.7%	25.0%	37.7%	40.1%	31.4%	40.2%	45.2%	35.3%	41.8%	47.4%	35.1%	44.5%	51.4%
32545	Unlawful use of trademark in manufacture or delivery of contr	195.256-001Y198935	D	DRG	GROUP	15	18.1%	33.5%	40.7%	25.0%	37.7%	40.1%	31.4%	40.2%	45.2%	35.3%	41.8%	47.4%	35.1%	44.5%	51.4%
32550	Failure to obtain proper identification/make report of drugtr	195.400-001Y198935	D	DRG	GROUP	7	18.1%	33.5%	40.7%	25.0%	37.7%	40.1%	31.4%	40.2%	45.2%	35.3%	41.8%	47.4%	35.1%	44.5%	51.4%
32560	Furnishing or receiving any substance under section 195.400.2	195.405-999Y198935	D	DRG	GROUP	11	18.1%	33.5%	40.7%	25.0%	37.7%	40.1%	31.4%	40.2%	45.2%	35.3%	41.8%	47.4%	35.1%	44.5%	51.4%
32566	Possess chemical with intent to manufacture, compound, convey	195.420-001Y198935	C	DRG	CHRG	2,044	21.7%	23.8%	42.3%	25.0%	34.7%	38.7%	32.8%	39.3%	46.7%	37.3%	44.4%	49.0%	58.3%	48.1%	47.8%
32591	Sale of drugs by out-of-state distributor without license	338.340-998Y198935	C	DRG	GROUP	9	18.1%	33.5%	40.7%	25.0%	37.7%	40.1%	31.4%	40.2%	45.2%	35.3%	41.8%	47.4%	35.1%	44.5%	51.4%
32610	Possession of anhydrous ammonia in a non-approved container	578.154-999Y200135	D	DRG	CHRG	161	22.0%	11.1%	66.7%	25.0%	37.7%	40.1%	31.4%	40.2%	45.2%	35.3%	41.8%	47.4%	35.1%	44.5%	51.4%
32645	Any person not the owner/not in lawful control of approved co	577.075-998Y200335	B	DRG	GROUP	8	15.4%	22.9%	21.9%	20.0%	27.4%	26.5%	27.0%	33.6%	33.6%	35.6%	33.9%	36.0%	37.7%	37.4%	39.6%
33365	Delivery or possession of alcohol or spirituous or malt liquo	221.111-003Y198641	D	NVI	GROUP	21	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
34015	Making a false bomb report	575.090-998Y199653	D	NVI	GROUP	26	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%

# Appendix I: Percent of Offenders Incarcerated for New Felony Sentences After Two Years from Start of Probation or Release from Prison, by Prior Criminal History, Disposition of Sentence and Offense, Fiscal 2002-2015

Old Charge Code	Offense Description	New Charge Code RSMO-identifier	Felony Class	Offense Group	Recid Calc.*	Total Count	Prior Criminal History														
							LEVEL I			LEVEL II			LEVEL III			LEVEL IV			LEVEL V		
							Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.
34022	Invasion of privacy of multiple individuals-2nd degree	565.253-998Y199553	D	NVI	GROUP	5	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
34055	Harassment motivated by discrimination to frighten or disturb	557.035-007Y199953	D	VIO	GROUP	6	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
34057	Harassment by person 21 years or older against person 17 year	565.090-001Y200853	D	VIO	GROUP	22	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
34220	Aggravated stalking-1st offense orstalking 2nd offense	565.225-998Y199353	D	VIO	CHRG	93	11.1%	20.0%	30.0%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
34221	Aggravated stalking - 1st offense	565.225-002Y200853	D	VIO	GROUP	124	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
36009	Recklessly risk infection of another with hiv when actor iskn	191.677-004Y200255	B	VIO	GROUP	29	26.9%	28.5%	29.8%	32.1%	32.6%	31.4%	38.6%	39.0%	37.3%	36.5%	44.9%	40.2%	36.8%	54.2%	31.7%
36048	Abandonment of a corpse	194.425-001Y199555	D	NVI	GROUP	16	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
36190	Recklessly risk infection of another with hiv	191.677-999Y198855	D	NVI	GROUP	8	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
36200	Dog fighting	578.025-001Y198455	D	NVI	GROUP	22	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
36335	Violations involving health care payments - 1st offense	191.905-002Y200755	C	NVI	GROUP	7	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
36341	Violations involving health carepayments 1st offense	191.905-998Y199455	D	NVI	GROUP	6	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
36545	Animal abuse/torture/mutilation while animal was alive - pers	578.012-002Y199455	D	NVI	GROUP	62	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
36801	Keeping or maintaining a public nuisance for criminal streetg	578.433-001Y199355	C	NVI	GROUP	8	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
37008	Employer, with intent to defraud, willfully failed to file re	143.221-999Y198561	D	NVI	GROUP	28	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
46609	Operated vehicle on highway without valid license - 3rd or su	302.020-001Y199954	D	NVI	GROUP	569	21.2%	44.7%	46.1%	32.1%	30.0%	42.9%	34.1%	27.3%	60.0%	41.5%	52.3%	49.5%	33.3%	80.0%	41.7%
46611	Operate motor vehicle on highway while driver license/privile	302.321-001Y200454	D	NVI	GROUP	103	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
46613	Operated motorcycle when driver's license not validated forsu	302.020-002Y199954	D	NVI	GROUP	15	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
46616	Operate motor vehicle on highway while driver's license/privi	302.321-002Y200454	D	NVI	GROUP	24	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
46681	Operated motor vehicle on highway while driver's license/priv	302.321-972Y199954	D	NVI	GROUP	161	21.2%	44.7%	46.1%	21.7%	54.5%	37.5%	14.8%	57.1%	28.6%	41.5%	52.3%	49.5%	42.9%	80.0%	57.1%
46682	Operated motor vehicle on highway while driver's license/priv	302.321-971Y197554	D	NVI	GROUP	811	21.2%	44.7%	46.1%	28.7%	56.0%	48.6%	35.6%	33.3%	38.8%	43.2%	30.8%	39.0%	28.4%	21.4%	36.4%
46683	Operated motor vehicle on highway while driver's license priv	302.321-970Y199954	D	NVI	GROUP	557	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	35.9%	53.8%	26.0%	30.2%	45.5%	36.0%	55.3%	72.7%	45.2%
46684	Driving while revoked (suspended for stealing motor fuel aspu	302.321-969Y200154	D	NVI	GROUP	91	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
46689	Operated motor vehicle on highway while driver's license/priv	302.321-964Y199954	D	NVI	CHRG	1,519	30.3%	47.8%	47.5%	26.6%	42.9%	39.7%	32.4%	37.5%	42.7%	32.2%	39.5%	36.9%	37.6%	33.3%	36.7%
46691	Operated motor vehicle on highway while driver's license/priv	302.321-962Y199954	D	NVI	GROUP	15	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
46692	Operated motor vehicle on highway while driver's license/priv	302.321-961Y200154	D	NVI	GROUP	93	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
46693	Operated motor vehicle on highway while driver's license/priv	302.321-960Y199954	D	NVI	GROUP	6	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
46694	Operated motor vehicle on highway while driver's license/priv	302.321-959Y200154	D	NVI	GROUP	30	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
46695	Operated motor vehicle on highway while driver's license/priv	302.321-958Y199954	D	NVI	GROUP	28	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
46697	Operated motor vehicle on highway while driver's license/priv	302.321-957Y199954	D	NVI	GROUP	26	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
46780	Driving while revoked/suspended	302.321-005Y201154	D	NVI	GROUP	271	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
47410	Dwi- alcohol- persistent offender	577.010-001Y197954	D	DWI	CHRG	15,863	12.3%	18.8%	24.7%	17.9%	19.6%	25.7%	23.9%	27.0%	26.7%	31.2%	36.3%	31.9%	35.8%	36.8%	30.6%
47417	Dwi- alcohol - chronic offender	577.010-003Y200554	B	DWI	CHRG	704	NA	NA	7.9%	NA	NA	17.8%	NA	NA	14.5%	NA	NA	18.1%	NA	NA	19.7%
47418	Dwi - alcohol - aggravated offender	577.010-004Y200554	C	DWI	CHRG	3,697	NA	NA	18.1%	NA	NA	14.7%	NA	NA	24.8%	NA	NA	28.0%	NA	NA	24.5%
47423	Dwi - drug intoxication - chronic offender	577.010-006Y200554	B	DWI	GROUP	10	NA	NA	7.7%	NA	NA	17.8%	NA	NA	15.9%	NA	NA	18.9%	NA	NA	20.6%
47427	Dwi - drug intoxication - aggravated offender	577.010-007Y200554	C	DWI	GROUP	77	NA	NA	23.1%	NA	NA	20.0%	NA	NA	27.0%	NA	NA	31.7%	NA	NA	29.1%
47430	Dwi - drug intoxication - persistent offender	577.010-008Y197954	D	DWI	CHRG	296	15.0%	31.6%	33.3%	20.0%	20.0%	28.6%	28.1%	25.0%	47.6%	28.4%	30.4%	31.7%	35.8%	32.0%	29.1%
47443	Dwi - combined alcohol/drug intoxication - chronic offender	577.010-011Y200554	B	DWI	GROUP	25	NA	NA	7.7%	NA	NA	17.8%	NA	NA	42.9%	NA	NA	18.9%	NA	NA	20.6%
47447	Dwi - combined alcohol/drug intoxication - aggravated offende	577.010-012Y200554	C	DWI	GROUP	78	NA	NA	23.1%	NA	NA	23.2%	NA	NA	27.0%	NA	NA	33.3%	NA	NA	29.1%
47450	Dwi - combined alcohol/drug intoxication - persistent offende	577.010-013Y197954	D	DWI	CHRG	656	13.7%	16.0%	0.0%	14.1%	19.0%	20.0%	22.6%	22.2%	46.2%	15.4%	57.1%	44.4%	35.8%	32.0%	29.1%
47467	Excessive blood alcohol content - aggravated offender	577.012-002Y200554	C	DWI	GROUP	12	NA	NA	23.1%	NA	NA	23.2%	NA	NA	27.0%	NA	NA	31.7%	NA	NA	29.1%
47470	Excessive blood alcohol content - persistent offender	577.012-003Y197954	D	DWI	GROUP	72	12.2%	17.2%	23.1%	16.7%	16.6%	23.2%	23.0%	22.6%	27.0%	28.4%	30.4%	31.7%	35.8%	32.0%	29.1%
48865	Leaving scene of motor vehicle accident - injury, property da	577.060-001Y197954	D	NVI	CHRG	2,466	15.6%	27.4%	33.8%	26.5%	30.4%	40.5%	29.6%	37.2%	47.6%	36.7%	30.0%	44.6%	22.2%	70.0%	30.8%
48867	Leaving scene of all-terrain vehicle accident - death or 2ndo	577.065-002Y198854	D	NVI	GROUP	5	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
51050	Bribery of a public servant	576.010-001Y197951	D	NVI	GROUP	11	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
54156	Fail complete/submit offendr regfrm to chief leo-2nd/subs off	589.425-977Y200173	D	NVI	GROUP	13	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
54163	Offender fail to inform chief leoof new addr-2nd/subsequentof	589.425-971Y200173	D	NVI	GROUP	5	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
57100	Invasion of privacy 1st degree	565.252-001Y200357	D	NVI	GROUP	10	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
57125	Invasion of privacy of multiple individuals 2nd degree - 1sto	565.253-003Y200357	D	NVI	GROUP	25	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
58001	Making a false bomb report	575.090-001Y200316	D	NVI	GROUP	43	21.2%	44.7%	46.1%	28.7%	47.7%	48.1%	37.3%	50.0%	50.5%	41.5%	52.3%	49.5%	40.0%	51.8%	43.3%
58010	Making a terrorist threat	574.115-001Y200316	C	VIO	GROUP	33	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%

# Appendix I: Percent of Offenders Incarcerated for New Felony Sentences After Two Years from Start of Probation or Release from Prison, by Prior Criminal History, Disposition of Sentence and Offense, Fiscal 2002-2015

Old Charge Code	Offense Description	New Charge Code RSMo-identifier	Felony Class	Offense Group	Recid Calc.*	Total Count	Prior Criminal History														
							LEVEL I			LEVEL II			LEVEL III			LEVEL IV			LEVEL V		
							Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.	Prob.	Shk	Pris.
58020	Making a terrorist threat with reckless disregard of risk ofc	574.115-002Y200316	D	VIO	GROUP	26	18.1%	24.6%	30.4%	25.1%	27.8%	40.5%	35.8%	34.1%	46.2%	42.6%	45.2%	47.9%	51.8%	51.0%	38.8%
64005	Sexual exploitation of a minor	573.023-002Y200364	B	SEX	GROUP	5	24.0%	29.2%	20.5%	33.8%	24.0%	23.6%	45.5%	36.4%	31.4%	38.5%	50.0%	44.4%	46.9%	30.8%	30.0%
64015	Enticement of a child (actor 21 years of age or older and chi	566.151-995Y200364	C	SEX	GROUP	22	18.6%	19.9%	18.9%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
64020	Attempt to entice a child (actor 21 years or older and childi	566.151-994Y200364	D	SEX	GROUP	16	18.6%	19.9%	18.9%	24.8%	24.3%	30.8%	37.7%	28.6%	36.1%	61.3%	47.2%	45.7%	36.0%	30.8%	39.2%
46613	Operated motorcycle when driver's license not validated forsu	302.020-002Y199954	D	NVI	GROUP	17	21.0%	45.2%	46.5%	28.8%	47.6%	47.9%	38.0%	51.1%	50.7%	41.8%	53.6%	50.1%	40.0%	53.4%	43.8%
46616	Operate motor vehicle on highway while driver's license/privi	302.321-002Y200454	D	NVI	GROUP	23	21.0%	45.2%	46.5%	28.8%	47.6%	47.9%	38.0%	51.1%	50.7%	41.8%	53.6%	50.1%	40.0%	53.4%	43.8%
46681	Operated motor vehicle on highway while driver's license/priv	302.321-972Y199954	D	NVI	GROUP	205	21.0%	45.2%	46.5%	25.8%	63.6%	21.4%	26.5%	50.0%	41.2%	41.8%	53.6%	50.1%	37.5%	80.0%	71.4%
46682	Operated motor vehicle on highway while driver's license/priv	302.321-971Y197554	D	NVI	GROUP	809	21.0%	45.2%	46.5%	29.5%	58.3%	48.6%	37.7%	35.7%	33.8%	42.7%	27.3%	37.8%	27.7%	21.4%	37.5%
46683	Operated motor vehicle on highway while driver's license priv	302.321-970Y199954	D	NVI	GROUP	606	21.0%	45.2%	46.5%	27.5%	50.0%	64.7%	35.9%	61.5%	27.8%	34.5%	53.8%	32.0%	56.3%	76.9%	48.5%
46684	Driving while revoked (suspended for stealing motor fuel aspu	302.321-969Y200154	D	NVI	GROUP	90	21.0%	45.2%	46.5%	28.8%	47.6%	47.9%	38.0%	51.1%	50.7%	41.8%	53.6%	50.1%	40.0%	53.4%	43.8%
46685	Operated motor vehicle on highway while driver's license/priv	302.321-968Y199954	D	NVI	GROUP	10	21.0%	45.2%	46.5%	28.8%	47.6%	47.9%	38.0%	51.1%	50.7%	41.8%	53.6%	50.1%	40.0%	53.4%	43.8%
46689	Operated motor vehicle on highway while driver's license/priv	302.321-964Y199954	D	NVI	CHRG	1,817	31.9%	50.0%	43.1%	26.7%	37.3%	39.7%	34.0%	34.5%	43.2%	35.7%	44.4%	39.3%	36.2%	40.0%	36.6%
46691	Operated motor vehicle on highway while driver's license/priv	302.321-962Y199954	D	NVI	GROUP	23	21.0%	45.2%	46.5%	28.8%	47.6%	47.9%	38.0%	51.1%	50.7%	41.8%	53.6%	50.1%	40.0%	53.4%	43.8%
46692	Operated motor vehicle on highway while driver's license/priv	302.321-961Y200154	D	NVI	GROUP	90	21.0%	45.2%	46.5%	28.8%	47.6%	47.9%	38.0%	51.1%	50.7%	41.8%	53.6%	50.1%	40.0%	53.4%	43.8%
46693	Operated motor vehicle on highway while driver's license/priv	302.321-960Y199954	D	NVI	GROUP	6	21.0%	45.2%	46.5%	28.8%	47.6%	47.9%	38.0%	51.1%	50.7%	41.8%	53.6%	50.1%	40.0%	53.4%	43.8%
46694	Operated motor vehicle on highway while driver's license/priv	302.321-959Y200154	D	NVI	GROUP	30	21.0%	45.2%	46.5%	28.8%	47.6%	47.9%	38.0%	51.1%	50.7%	41.8%	53.6%	50.1%	40.0%	53.4%	43.8%
46695	Operated motor vehicle on highway while driver's license/priv	302.321-958Y199954	D	NVI	GROUP	26	21.0%	45.2%	46.5%	28.8%	47.6%	47.9%	38.0%	51.1%	50.7%	41.8%	53.6%	50.1%	40.0%	53.4%	43.8%
46697	Operated motor vehicle on highway while driver's license/priv	302.321-957Y199954	D	NVI	GROUP	28	21.0%	45.2%	46.5%	28.8%	47.6%	47.9%	38.0%	51.1%	50.7%	41.8%	53.6%	50.1%	40.0%	53.4%	43.8%
46780	Driving while revoked/suspended	302.321-005Y201154	D	NVI	GROUP	133	21.0%	45.2%	46.5%	28.8%	47.6%	47.9%	38.0%	51.1%	50.7%	41.8%	53.6%	50.1%	40.0%	53.4%	43.8%
47410	Dwi- alcohol- persistent offender	577.010-001Y197954	D	DWI	CHRG	19,666	12.9%	20.7%	24.8%	18.7%	21.3%	28.5%	26.2%	27.4%	28.2%	32.6%	36.6%	33.5%	35.7%	36.5%	31.0%
47417	Dwi - alcohol - chronic offender	577.010-003Y200554	B	DWI	CHRG	607	NA	NA	8.8%	NA	NA	22.9%	NA	NA	15.0%	NA	NA	19.1%	NA	NA	18.9%
47418	Dwi - alcohol - aggravated offender	577.010-004Y200554	C	DWI	CHRG	3,331	NA	NA	18.8%	NA	NA	15.2%	NA	NA	24.3%	NA	NA	28.6%	NA	NA	26.4%
47423	Dwi - drug intoxication - chronic offender	577.010-006Y200554	B	DWI	GROUP	10	NA	NA	8.6%	NA	NA	22.9%	NA	NA	16.5%	NA	NA	20.2%	NA	NA	20.0%
47427	Dwi - drug intoxication - aggravated offender	577.010-007Y200554	C	DWI	GROUP	68	NA	NA	23.6%	NA	NA	20.0%	NA	NA	28.1%	NA	NA	33.2%	NA	NA	30.1%
47430	Dwi - drug intoxication - persistent offender	577.010-008Y197954	D	DWI	CHRG	310	14.0%	33.3%	33.3%	17.5%	20.0%	33.3%	21.9%	25.0%	47.8%	18.2%	42.9%	80.0%	35.7%	33.7%	30.1%
47443	Dwi - combined alcohol/drug intoxication - chronic offender	577.010-011Y200554	B	DWI	GROUP	22	NA	NA	8.6%	NA	NA	22.9%	NA	NA	42.9%	NA	NA	20.2%	NA	NA	20.0%
47447	Dwi - combined alcohol/drug intoxication - aggravated offende	577.010-012Y200554	C	DWI	GROUP	72	NA	NA	23.6%	NA	NA	26.1%	NA	NA	28.1%	NA	NA	33.2%	NA	NA	30.1%
47450	Dwi - combined alcohol/drug intoxication - persistent offende	577.010-013Y197954	D	DWI	CHRG	654	14.1%	15.4%	0.0%	13.9%	23.8%	20.0%	23.3%	22.2%	46.2%	14.3%	66.7%	44.4%	35.7%	33.7%	30.1%
47467	Excessive blood alcohol content - aggravated offender	577.012-002Y200554	C	DWI	GROUP	10	NA	NA	23.6%	NA	NA	26.1%	NA	NA	28.1%	NA	NA	33.2%	NA	NA	30.1%
47470	Excessive blood alcohol content - persistent offender	577.012-003Y197954	D	DWI	GROUP	98	12.8%	19.4%	23.6%	17.6%	18.9%	26.1%	25.1%	24.3%	28.1%	29.1%	32.4%	33.2%	35.7%	33.7%	30.1%
48865	Leaving scene of motor vehicle accident - injury, property da	577.060-001Y197954	D	NVI	CHRG	2,784	15.6%	32.6%	38.8%	27.0%	28.8%	38.1%	30.9%	41.3%	47.2%	37.5%	43.8%	45.1%	22.2%	80.0%	28.6%
48867	Leaving scene of all-terrain vehicle accident - death or 2ndo	577.065-002Y198854	D	NVI	GROUP	7	21.0%	45.2%	46.5%	28.8%	47.6%	47.9%	38.0%	51.1%	50.7%	41.8%	53.6%	50.1%	40.0%	53.4%	43.8%
51050	Bribery of a public servant	576.010-001Y197951	D	NVI	GROUP	10	21.0%	45.2%	46.5%	28.8%	47.6%	47.9%	38.0%	51.1%	50.7%	41.8%	53.6%	50.1%	40.0%	53.4%	43.8%
54156	Fail complete/submit offendr regfrm to chief leo-2nd/subs off	589.425-977Y200173	D	NVI	GROUP	13	21.0%	45.2%	46.5%	28.8%	47.6%	47.9%	38.0%	51.1%	50.7%	41.8%	53.6%	50.1%	40.0%	53.4%	43.8%
54163	Offender fail to inform chief leof new addr-2nd/subsequentof	589.425-971Y200173	D	NVI	GROUP	5	21.0%	45.2%	46.5%	28.8%	47.6%	47.9%	38.0%	51.1%	50.7%	41.8%	53.6%	50.1%	40.0%	53.4%	43.8%
57100	Invasion of privacy 1st degree	565.252-001Y200357	D	NVI	GROUP	8	21.0%	45.2%	46.5%	28.8%	47.6%	47.9%	38.0%	51.1%	50.7%	41.8%	53.6%	50.1%	40.0%	53.4%	43.8%
57125	Invasion of privacy of multiple individuals 2nd degree - 1sto	565.253-003Y200357	D	NVI	GROUP	25	21.0%	45.2%	46.5%	28.8%	47.6%	47.9%	38.0%	51.1%	50.7%	41.8%	53.6%	50.1%	40.0%	53.4%	43.8%
58001	Making a false bomb report	575.090-001Y200316	D	NVI	GROUP	43	21.0%	45.2%	46.5%	28.8%	47.6%	47.9%	38.0%	51.1%	50.7%	41.8%	53.6%	50.1%	40.0%	53.4%	43.8%
58010	Making a terrorist threat	574.115-001Y200316	C	VIO	GROUP	27	17.9%	23.8%	30.8%	24.9%	28.4%	39.4%	36.4%	35.5%	45.8%	41.6%	44.3%	49.0%	51.2%	51.0%	40.4%
58020	Making a terrorist threat with reckless disregard of risk ofc	574.115-002Y200316	D	VIO	GROUP	25	17.9%	23.8%	30.8%	24.9%	28.4%	39.4%	36.4%	35.5%	45.8%	41.6%	44.3%	49.0%	51.2%	51.0%	40.4%
64005	Sexual exploitation of a minor	573.023-002Y200364	B	SEX	GROUP	5	24.2%	28.3%	20.2%	30.7%	23.1%	27.7%	44.7%	33.3%	26.7%	50.0%	50.0%	39.0%	42.1%	25.0%	14.3%
64013	Enticement of a child (actor is 21 years of age or older andc	566.151-001Y200664	U	SEX	GROUP	12	NA	NA	20.2%	NA	NA	27.7%	NA	NA	26.7%	NA	NA	39.0%	NA	NA	14.3%
64015	Enticement of a child (actor 21 years of age or older and chi	566.151-995Y200364	C	SEX	GROUP	22	18.4%	19.7%	19.3%	23.4%	21.7%	30.7%	36.9%	28.2%	36.0%	63.5%	48.8%	41.9%	34.4%	25.0%	35.7%
64018	Attempted enticement of a child (actor is 21 years of age oro	566.151-002Y200664	U	SEX	GROUP	5	NA	NA	20.2%	NA	NA	27.7%	NA	NA	26.7%	NA	NA	39.0%	NA	NA	14.3%
64020	Attempt to entice a child (actor 21 years or older and childi	566.151-994Y200364	D	SEX	GROUP	16	18.4%	19.7%	19.3%	23.4%	21.7%	30.7%	36.9%	28.2%	36.0%	63.5%	48.8%	41.9%	34.4%	25.0%	35.7%

## APPENDIX II: FELONY SENTENCES, PERCENT DISPOSITION AND AVERAGE SENTENCE BY OFFENSE

The following table contains the total number of sentences, percent of sentence by disposition and average sentence by individual offense for a five year range from fiscal 2011-2015. Sentencing data is extracted from the DOC OPII database and includes the first sentence for unrelated sentences in Missouri courts. Related sentences are sentences handed down at the same court and on the same day for the same offender. Where there is more than one related sentence, the most serious sentence is selected. Revocations of sentences are not included. Prison sentences include only sentences for a term sentence (commitment). Sentence average is for prison sentences only and does include sentences for SES probation and 120-day.

Charge Code	Offense	New Charge Code RSMo-identifier	Felony Class	Offense Group	Sentence (Count)	Percent			Sentence (years)
						Probation	Shk/Trt	Prison	
10020	Murder 1st degree	565.003-999Y190009	U	VIO	2	0%	0%	100%	30.0
10021	Murder 1st degree	565.020-001Y198409	A	VIO	169	0%	0%	100%	30.0
10030	Murder 2nd degree	565.004-999Y190009	U	VIO	2	0%	0%	100%	21.5
10031	Murder 2nd degree	565.021-001Y198409	A	VIO	485	1%	0%	99%	22.1
10034	Murder 2nd degree - vehicular - intoxicated	565.021-002Y200909	A	VIO	2	0%	0%	100%	19.5
10036	Murder 2nd degree - felony murder - during perpetration/attempt	565.021-003Y198409	A	VIO	79	4%	0%	96%	20.7
10041	Voluntary manslaughter	565.023-001Y198409	B	VIO	120	8%	3%	89%	11.6
10051	Involuntary manslaughter 1st degree	565.024-001Y198409	C	VIO	186	19%	11%	70%	5.9
10052	Involuntary manslaughter 2nd degree	565.024-002Y199909	D	VIO	53	53%	21%	26%	3.5
10053	Involuntary manslaughter - vehicular - intoxicated	565.024-003Y198409	C	VIO	75	37%	23%	40%	5.9
10054	Involuntary manslaughter - vessel	306.111-001Y199309	C	VIO	2	50%	0%	50%	7.0
10056	Involuntary manslaughter 1st degree - operate motor vehicle while	565.024-004Y200509	B	VIO	75	16%	8%	76%	9.4
10060	Involuntary manslaughter 1st degree - operate a motor vehicle	565.024-006Y200609	B	VIO	2	0%	0%	100%	13.5
10072	Involuntary manslaughter 1st degree - operate vessel while in	565.024-008Y200809	B	VIO	1	0%	0%	100%	10.0
10075	Involuntary manslaughter - vessel - intoxicated	565.024-010Y200809	C	VIO	2	100%	0%	0%	-
11005	Forcible rape - serious physical injury/displays deadly weapon	566.030-999Y200211	U	SEX	15	7%	0%	93%	23.2
11007	Rape or attempted rape - 1st degree	566.030-001Y201311	U	SEX	6	0%	0%	100%	18.0
11008	Forcible rape - sexual intercourse by forcible compulsion	566.030-997Y199511	U	SEX	82	1%	0%	99%	20.8
11010	Forcible rape or attempted forcible rape with a weapon or physical	566.030-996Y198011	A	SEX	16	0%	0%	100%	21.2
11011	Forcible rape	566.030-995Y190011	U	SEX	3	0%	0%	100%	19.3
11012	Attempt forcible rape - attempt sexual intercourse by forcible	566.030-994Y200211	U	SEX	11	0%	0%	100%	15.9
11015	Rape	566.030-993Y198011	A	SEX	10	10%	0%	90%	17.9
11016	Attempt forcible rape - serious physical injury/displays deadly	566.030-992Y200211	U	SEX	4	0%	0%	100%	21.5
11018	Rape - inflict serious physical injury or display deadly weapon	566.030-991Y197911	A	VIO	2	0%	0%	100%	15.0
11019	Rape or attempted rape - 1st degree - wantonly vile	566.030-004Y201311	U	SEX	1	0%	0%	100%	70.0

**Appendix II: Felony Sentences Received by the Department of Correction Including Percent Disposition and Average Sentence by Offense, Fiscal 2011-2015**

Charge Code	Offense	New Charge Code RSMo-identifier	Felony Class	Offense Group	Sentence (Count)	Percent			Sentence (years)
						Probation	Shk/Trt	Prison	
11021	Statutory rape-1st degree	566.032-999Y199511	A	SEX	13	8%	0%	92%	20.0
11022	Statutory rape 2nd degree	566.034-001Y199511	C	SEX	485	33%	18%	49%	5.3
11025	Statutory rape 1st degree - sexual intercourse with a personl	566.032-001Y199511	U	SEX	218	14%	1%	84%	14.9
11027	Rape 2nd degree	566.031-001Y201311	C	SEX	11	36%	27%	36%	6.0
11032	Statutory rape 1st degree - sexual intercourse with person le	566.032-002Y199511	U	SEX	68	4%	0%	96%	18.8
11034	Attempt statutory rape 1st degree - attempt sexual intercou	566.032-003Y200611	U	SEX	3	0%	0%	100%	11.3
11038	Attempt statutory rape 1st degree - attempt sexual intercou	566.032-004Y200611	U	SEX	5	0%	0%	100%	13.0
11040	Sexual assault	566.040-998Y197911	C	SEX	90	36%	22%	42%	5.3
11057	Sexual abuse - 2nd degree - displays a deadly weapon in a thr	566.101-002Y201311	D	SEX	1	100%	0%	0%	-
11062	Sodomy or attempted sodomy - 1st degree	566.060-001Y201311	U	SEX	3	0%	0%	100%	12.3
11064	Sodomy or attempted sodomy - 1st degree - serious physical in	566.060-002Y201311	U	SEX	1	0%	0%	100%	15.0
11066	Sodomy or attempted sodomy - 1st degree - victim is less than	566.060-003Y201311	U	SEX	1	0%	0%	100%	30.0
11070	Sodomy - physical injury	566.060-999Y197911	A	SEX	2	0%	0%	100%	30.0
11071	Forcible sodomy-with deadlyweapon or serious physical injury	566.060-998Y199511	A	SEX	1	0%	0%	100%	20.0
11072	Sodomy - 2nd degree	566.061-001Y201311	C	SEX	15	20%	7%	73%	6.3
11076	Statutory sodomy 1st degree	566.062-999Y199511	A	SEX	2	0%	0%	100%	25.0
11077	Statutory sodomy 2nd degree	566.064-001Y199511	C	SEX	260	27%	22%	50%	5.5
11078	Statutory sodomy-1st degree-serious physical injury or displa	566.062-998Y199511	A	SEX	1	100%	0%	0%	-
11079	Sodomy	566.060-996Y197911	U	SEX	6	33%	0%	67%	12.8
11080	Sodomy	566.060-995Y197911	B	SEX	2	50%	0%	50%	12.0
11081	Sodomy	563.230-999Y194911	U	SEX	1	100%	0%	0%	-
11082	Forcible sodomy - serious physical injury/displays deadly wea	566.060-994Y200211	U	SEX	8	13%	0%	88%	20.7
11084	Forcible sodomy - deviate sexual intercourse by forciblecompu	566.060-993Y200211	U	SEX	31	10%	0%	90%	16.0
11086	Attempt forcible sodomy - serious physical injury/displays de	566.060-992Y200211	U	SEX	1	0%	0%	100%	30.0
11088	Attempt forcible sodomy - attempt deviate sexual intercourseb	566.060-991Y200211	U	SEX	5	20%	0%	80%	6.8
11095	Statutory sodomy 1st degree - deviate sexual intercourse with	566.062-001Y199511	U	SEX	343	7%	1%	92%	17.5
11097	Statutory sodomy 1st degree - deviate sexual intercourse with	566.062-002Y199511	U	SEX	227	15%	2%	83%	15.3
11098	Attempt statutory sodomy 1st degree - deviate sexual intercou	566.062-003Y200611	U	SEX	10	20%	0%	80%	12.9
11099	Attempt statutory sodomy 1st degree - attempt deviate sexuali	566.062-004Y200611	U	SEX	12	25%	0%	75%	9.7
11100	Deviate sexual assault	566.070-998Y197911	C	SEX	102	40%	23%	37%	5.9
11101	Forcible sodomy	566.060-990Y197911	U	SEX	1	0%	0%	100%	12.0
11121	Sodomy victimless than 14	566.060-988Y197911	B	SEX	1	100%	0%	0%	-
11131	Deviate sexual assault 1st degreevict 14 or 15 or incapacitat	566.070-997Y197911	C	SEX	1	100%	0%	0%	-
11164	Sexual abuse - 1st degree - victim is less than 14 years ofag	566.100-001Y201311	B	SEX	2	0%	100%	0%	-
11168	Sexual abuse - 1st degree	566.100-003Y201311	C	SEX	4	50%	25%	25%	4.0

**Appendix II: Felony Sentences Received by the Department of Correction Including Percent Disposition and Average Sentence by Offense, Fiscal 2011-2015**

Charge Code	Offense	New Charge Code RSMo-identifier	Felony Class	Offense Group	Sentence (Count)	Percent			Sentence (years)
						Probation	Shk/Trt	Prison	
11999	Sexual assault	11999	A	SEX	1	100%	0%	0%	-
12010	Robbery 1st degree	569.020-001Y197912	A	VIO	1,069	21%	4%	75%	14.4
12020	Robbery 2nd degree	569.030-001Y197912	B	VIO	1,718	33%	17%	50%	8.7
12035	Pharmacy robbery first degree	569.025-001Y198912	A	VIO	5	0%	0%	100%	15.0
12045	Pharmacy robbery second degree	569.035-001Y198912	B	VIO	7	14%	0%	86%	10.5
13009	Domestic assault 1st degree - serious physical injury	565.072-001Y199913	A	VIO	66	26%	3%	71%	17.7
13011	Assault 1st degree - serious physical injury	565.050-001Y198413	A	VIO	313	23%	5%	72%	15.5
13015	Domestic assault 1st degree - 1st offense	565.072-002Y199913	B	VIO	182	51%	10%	40%	8.2
13016	Domestic assault - 1st degree - previous offense under "thisc	565.072-003Y200713	A	VIO	2	100%	0%	0%	-
13017	Domestic assault 3rd degree - 3rd or subsequent offense	565.074-001Y200013	D	VIO	140	44%	20%	36%	3.0
13018	Domestic assault 1st degree - prior domestic violence offende	565.072-004Y199813	B	VIO	5	40%	0%	60%	10.7
13020	Assault 1st degree	565.050-002Y197913	B	VIO	418	36%	11%	53%	8.5
13021	Domestic assault 1st degree - persistent domestic violence of	565.072-005Y200013	B	VIO	9	56%	22%	22%	9.5
13024	Domestic assault 2nd degree - prior domestic violence offende	565.073-001Y200013	C	VIO	127	46%	18%	35%	4.9
13026	Domestic assault 2nd degree - persistent domestic violence of	565.073-002Y200013	C	VIO	77	65%	10%	25%	4.5
13029	Domestic assault 2nd degree - 1st offense	565.073-003Y199813	C	VIO	3,248	62%	12%	26%	4.5
13031	Assault 2nd degree	565.060-001Y198413	C	VIO	2,757	53%	11%	36%	4.9
13033	Assault 2nd degree - operate vehicle while intoxicated - resu	565.060-002Y198413	C	VIO	886	69%	16%	14%	5.0
13034	Assault - vessel - 2nd degree	306.111-002Y199313	D	VIO	1	100%	0%	0%	-
13036	Assault 2nd degree - operate motor vehicle with criminal negl	565.060-003Y200613	C	VIO	11	45%	45%	9%	4.0
13039	Assault 3rd degree - 3rd or subsequent offense against family	565.070-001Y199813	D	VIO	5	40%	0%	60%	3.3
13045	Assault motivated by discrimination 3rd degree	557.035-001Y199913	D	VIO	4	50%	0%	50%	2.0
13055	Assault while on school property	565.075-001Y199613	D	VIO	24	83%	8%	8%	3.5
13071	Violence to an employee of department of corrections or to an	217.385-001Y199513	B	VIO	220	17%	1%	82%	6.9
13075	Offender abuse by an employee of department of corrections	217.405-001Y198913	C	VIO	1	0%	0%	100%	2.0
13090	Unlawful endangerment of another in production of a controlle	565.065-001Y198613	C	VIO	2	50%	50%	0%	-
13100	Assault/attempt assault 1st degree on law enforcement officer	565.081-001Y198913	A	VIO	51	29%	4%	67%	19.3
13103	Assault/attempt assault 2nd degree on law enforcement officer	565.082-001Y200513	B	VIO	90	30%	19%	51%	8.3
13105	Assault or attempts assault on emergency personnel or probati	565.081-999Y200313	A	VIO	3	67%	0%	33%	30.0
13113	Assault/attempt assault 2nd degree on law enforcement officer	565.082-002Y200513	C	VIO	509	50%	12%	37%	4.8
13127	Assault/attempt assault 2nd degree on law enforcement officer	565.082-003Y200513	B	VIO	43	37%	12%	51%	7.4
13133	Assault - vehicular - 2nd degree on law enforcement officer,c	565.082-004Y200513	B	VIO	14	43%	7%	50%	8.0
13134	Assault - vessel - 2nd degree on law enforcement officer, corr	565.082-005Y200813	B	VIO	8	50%	13%	38%	8.7
13135	Assault/attempt assault on emergency personnel (deadly weapon	565.082-995Y200313	B	VIO	1	0%	0%	100%	15.0
13143	Assault 2nd degree on law enforcement officer, corrections of	565.082-006Y200513	C	VIO	195	53%	11%	35%	5.1

**Appendix II: Felony Sentences Received by the Department of Correction Including Percent Disposition and Average Sentence by Offense, Fiscal 2011-2015**

Charge Code	Offense	New Charge Code RSMo-identifier	Felony Class	Offense Group	Sentence (Count)	Percent			Sentence (years)
						Probation	Shk/Trt	Prison	
13145	Assault 2nd degree on law enforcement officer, corrections of	565.082-007Y200513	C	VIO	97	43%	15%	41%	5.6
13147	Assault 2nd degree on law enforcement officer, corrections of	565.082-008Y200513	C	VIO	63	52%	10%	38%	5.3
13156	Endanger correctional employee/visitor/another offender by at	565.085-001Y200513	D	VIO	81	19%	2%	79%	2.8
13160	Endanger correctional employee/visitor/another offender by at	565.085-003Y200513	C	VIO	6	33%	17%	50%	4.7
13166	Sexually violent predator endanger a department of mental hea	565.086-002Y201013	D	VIO	4	0%	0%	100%	3.5
14010	Burglary 1st degree	569.160-001Y197922	B	NVI	1,625	53%	19%	28%	8.0
14020	Burglary 2nd degree	569.170-001Y197922	C	NVI	9,559	62%	11%	27%	4.7
14030	Possession of burglary tools	569.180-001Y197922	D	NVI	144	59%	10%	31%	3.4
14999	Burglary	14999	C	NVI	3	100%	0%	0%	-
15009	Appropriate material <\$500 with intent to manufacture, compou	570.030-003Y201123	C	NVI	9	67%	11%	22%	4.5
15010	Stealing	570.030-999Y190023	C	NVI	13	85%	0%	15%	5.0
15014	Theft of anhydrous ammonia by truck, trailer, rail tank car,s	570.030-004Y200123	A	NVI	2	100%	0%	0%	-
15017	Theft/stealing of any controlled substance as defined by sect	570.030-006Y197923	C	NVI	388	82%	7%	11%	4.6
15018	Theft/stealing (value of property or services is \$25,000 ormo	570.030-007Y200223	B	NVI	341	70%	10%	20%	7.3
15020	Stealing a motor vehicle - 1st offense	570.030-008Y191924	C	NVI	925	59%	11%	30%	4.2
15021	Theft/stealing (value of property or services is \$500 or more	570.030-009Y200223	C	NVI	10,050	73%	8%	20%	4.3
15022	Stealing a watercraft or aircraft - 1st offense	570.030-010Y200324	C	NVI	7	57%	14%	29%	4.5
15023	Theft/stealing of any firearm	570.030-011Y200323	C	NVI	359	68%	8%	24%	4.8
15025	Theft/stealing of any credit card or letter of credit	570.030-013Y197923	C	NVI	998	67%	10%	24%	4.4
15027	Theft/stealing of any livestock animal	570.030-014Y197923	C	NVI	27	81%	4%	15%	4.8
15028	Theft/attempt theft of anhydrous ammonia or liquid nitrogen	570.030-015Y200523	B	NVI	18	44%	22%	33%	8.2
15029	Theft/stealing live fish raised for commercial sale with a va	570.030-016Y200323	C	NVI	3	33%	33%	33%	4.0
15032	Stealing animals	570.033-001Y198723	D	NVI	11	73%	9%	18%	3.0
15036	Stealing related offense - 3rd offense (includes stealing orb	570.040-001Y200323	D	NVI	1,189	46%	12%	42%	3.0
15038	Physically take property appropriated from victim	570.030-019Y200323	C	NVI	229	63%	10%	28%	4.7
15041	Stealing motor vehicle - 3rd or subsequent stealing-relatedof	570.030-021Y200524	B	NVI	8	25%	25%	50%	9.3
15044	Theft/stealing or any original copy of an act, bill, or resol	570.030-023Y200323	C	NVI	1	100%	0%	0%	-
15045	Theft/stealing an explosive weapon	570.030-024Y200923	C	NVI	2	50%	50%	0%	-
15049	Stealing livestock (value more than \$10,000)	570.030-028Y201323	B	NVI	1	100%	0%	0%	-
15055	Steal wire/electrical transformer or other device/pipe	570.055-001Y200823	C	NVI	102	59%	13%	28%	4.1
15065	Theft or attempt theft of cable tv services (\$500 or more)	570.300-002Y200223	C	NVI	3	100%	0%	0%	-
15080	Stealing grain	411.770-001Y198623	C	NVI	1	100%	0%	0%	-
15103	Library theft/deface/destroy (\$500-\$25,000)	570.210-002Y200423	C	NVI	2	100%	0%	0%	-
15110	Misapplication of funds of financial institution (over \$1000)	570.217-001Y198523	C	NVI	2	100%	0%	0%	-
15140	Check kiting	570.220-001Y198523	C	NVI	5	100%	0%	0%	-

**Appendix II: Felony Sentences Received by the Department of Correction Including Percent Disposition and Average Sentence by Offense, Fiscal 2011-2015**

Charge Code	Offense	New Charge Code RSMo-identifier	Felony Class	Offense Group	Sentence (Count)	Percent			Sentence (years)
						Probation	Shk/Trt	Prison	
15151	Unauthorized record/label/sale - 100 or more articles/unautho	570.255-001Y200523	U	NVI	2	100%	0%	0%	-
15202	Stealing leased or rented property	578.150-001Y201123	C	NVI	98	84%	7%	9%	3.4
15210	Causing loss to or theft from animal facility (over \$100,000)	578.407-001Y199223	B	NVI	1	100%	0%	0%	-
15211	Causing loss to or theft from animal facility (more than \$10,	578.407-002Y199223	C	NVI	4	100%	0%	0%	-
16010	Kidnapping	565.110-001Y190010	A	VIO	13	23%	15%	62%	19.1
16020	Kidnapping - facilitating a felony or flight thereafter/infli	565.110-002Y195010	B	VIO	141	17%	5%	78%	10.0
16025	Child kidnapping	565.115-001Y200410	A	VIO	14	14%	14%	71%	16.0
16030	Felonious restraint	565.120-001Y197910	C	VIO	428	44%	11%	46%	5.5
16040	False imprisonment-removed from state	565.130-001Y197910	D	VIO	1	100%	0%	0%	-
16060	Interference with custody - removed from state or concealed	565.150-001Y197910	D	VIO	20	70%	0%	30%	3.5
16080	Parental kidnapping	565.153-003Y198810	D	VIO	14	64%	21%	14%	3.5
16090	Child abduction	565.156-001Y198810	D	VIO	10	90%	0%	10%	3.0
17010	Arson 1st degree	569.040-001Y197720	B	VIO	70	61%	7%	31%	8.5
17012	Arson 1st degree - causing serious physical injury or death	569.040-002Y198720	A	VIO	3	0%	0%	100%	17.0
17015	Arson 1st degree - causing serious physical injury or deathas	569.040-003Y200520	A	VIO	5	60%	20%	20%	20.0
17020	Arson 2nd degree	569.050-001Y197720	C	NVI	220	55%	10%	35%	5.3
17022	Arson 2nd degree - causing serious physical injury or death	569.050-002Y198720	B	VIO	4	25%	25%	50%	10.0
17030	Knowingly burning or exploding	569.055-001Y197920	D	NVI	122	72%	6%	22%	3.3
18010	Forgery	570.090-001Y193725	C	NVI	5,001	70%	8%	23%	4.3
18011	Counterfeiting	570.103-001Y199825	C	NVI	18	89%	6%	6%	5.0
18012	Counterfeiting	570.103-002Y199825	D	NVI	8	63%	13%	25%	3.0
18020	Possession of a forging instrument	570.100-001Y197525	C	NVI	27	67%	4%	30%	4.9
18040	Filing another's medical license as own/forging affidavit ofi	334.250-001Y199025	C	NVI	1	100%	0%	0%	-
19010	Passing a bad check	570.120-999Y190026	D	NVI	7	86%	0%	14%	2.0
19011	Passing bad check- \$500 or more- no account/insufficientfunds	570.120-998Y200226	D	NVI	15	80%	0%	20%	3.0
19013	Passing bad check (value \$500 or more) no account/insufficien	570.120-001Y200526	C	NVI	1,630	79%	4%	17%	3.8
19016	Fraudulently stop payment of an instrument(s) (value of \$500o	570.125-001Y200226	D	NVI	5	100%	0%	0%	-
19030	Fraudulent use of credit/debit device (value \$500 or more)	570.130-001Y196526	D	NVI	451	76%	5%	19%	3.3
19045	Deceptive business practice	407.020-001Y196726	D	NVI	7	71%	0%	29%	3.0
19080	Defrauding secured creditors (value \$500 or more	570.180-001Y197526	D	NVI	24	88%	0%	13%	3.3
19129	Knowingly present/cause to be presented a false worker's comp	287.128-003Y200526	D	NVI	4	100%	0%	0%	-
19134	Prepare/provide invalid certificate of insurance as proof ofw	287.128-005Y200526	D	NVI	5	100%	0%	0%	-
19143	Fraud/misrepresentation related to employment security benefi	288.395-002Y200526	D	NVI	1	100%	0%	0%	-
19150	Unlawfully obtaining public assistance benefits	205.967-001Y197526	U	NVI	1	100%	0%	0%	-
19173	Sale or possession of equipment or parts with altered identif	301.390-001Y198626	D	NVI	24	71%	21%	8%	3.5

**Appendix II: Felony Sentences Received by the Department of Correction Including Percent Disposition and Average Sentence by Offense, Fiscal 2011-2015**

Charge Code	Offense	New Charge Code RSMo-identifier	Felony Class	Offense Group	Sentence (Count)	Percent			Sentence (years)
						Probation	Shk/Trt	Prison	
19180	Violation of section 301.400 regarding removal of manufacture	301.400-001Y197526	C	NVI	3	67%	0%	33%	7.0
19192	Produce/manufacture/sell/distribute fraudulent document/photo	303.024-001Y200926	D	NVI	4	100%	0%	0%	-
19214	Odometer fraud 2nd degree	407.521-001Y198626	D	NVI	1	100%	0%	0%	-
19245	Falsifying odometer reading	407.536-001Y198926	D	NVI	1	100%	0%	0%	-
19251	Identity theft or attempt (value \$50,001 or more)	570.223-001Y200526	A	NVI	1	100%	0%	0%	-
19253	Identity theft or attempt (value \$5,001 - \$50,000)	570.223-002Y200526	B	NVI	34	79%	0%	21%	8.3
19255	Identity theft or attempt (value \$501 - \$5,000)	570.223-003Y200526	C	NVI	144	88%	3%	9%	3.8
19256	Identity theft (value \$501-\$10,000)	570.223-994Y200426	C	NVI	3	100%	0%	0%	-
19258	Identity theft or attempted identity theft - 2nd offense	570.223-004Y200426	D	NVI	1	100%	0%	0%	-
19264	Trafficking in stolen identities	570.224-001Y200426	B	NVI	28	50%	14%	36%	8.8
19300	Engage in fraud or misrepresentation in the offer, sale, or pu	409.5501-001Y197526	U	NVI	3	100%	0%	0%	-
19335	Mortgage fraud	570.310-001Y200826	C	NVI	1	100%	0%	0%	-
19368	Unlawful merchandise practice misrepresenting/unfair practice	407.020-002Y198626	D	NVI	8	25%	13%	63%	3.4
19430	Lien fraud - (value over \$500)	429.014-001Y198626	C	NVI	2	100%	0%	0%	-
19602	Unlawfully receiving public assistance benefits/ebt card (val	578.377-002Y201326	D	NVI	1	100%	0%	0%	-
19665	Perjury in application for public assistance (value \$500 or mo	578.385-001Y200226	D	NVI	2	100%	0%	0%	-
19775	Commission of fraudulent insurance act - 1st offense	375.991-001Y199226	D	NVI	6	100%	0%	0%	-
19779	Commission of fraudulent insurance act - prior offender	375.991-002Y199426	C	NVI	3	100%	0%	0%	-
19870	Misappropriation of funds of elderly nursing home residents	198.097-001Y199726	D	NVI	9	100%	0%	0%	-
19881	Financial exploitation of elderly/disabled person (property va	570.145-001Y200526	A	NVI	6	33%	17%	50%	14.7
19883	Financial exploitation of elderly/disabled person (property va	570.145-002Y200526	B	NVI	61	70%	10%	20%	9.0
19884	Financial exploitation of an elderly/disabled person (propert	570.145-003Y200326	C	NVI	16	63%	6%	31%	4.2
19886	Financial exploitation of an elderly/disabled person (propert	570.145-004Y200326	D	NVI	7	71%	0%	29%	3.5
20040	Promoting gambling 1st degree	572.030-001Y197539	D	NVI	8	88%	0%	13%	2.0
20260	Violation of laws pertaining to river boat gambling	313.830-007Y199339	D	NVI	7	100%	0%	0%	-
20280	Violation of laws pertaining to riverboat gambling ownership	313.004-002Y199439	D	NVI	1	100%	0%	0%	-
21015	Prostitution - persistent offender	567.020-002Y199740	D	NVI	1	100%	0%	0%	-
21022	Patronizing prostitution - 14 years of age or younger	567.030-001Y200440	D	NVI	1	100%	0%	0%	-
21030	Promoting prostitution 1st degree	567.050-001Y197540	B	NVI	1	0%	0%	100%	5.0
21040	Promoting prostitution 2nd degree	567.060-001Y197540	C	NVI	6	83%	0%	17%	4.0
21050	Promoting prostitution 3rd degree	567.070-001Y197540	D	NVI	6	100%	0%	0%	-
21052	Knowingly sell or offer travel services for the purpose of en	567.085-001Y200640	C	NVI	1	100%	0%	0%	-
21055	Actor knowingly infected with hiv performed an act of prostit	567.020-003Y200240	B	NVI	3	67%	0%	33%	5.0
22011	Sexual misconduct 1st degree - previous conviction under chap	566.090-998Y199536	D	SEX	6	67%	33%	0%	-
22020	Sexual abuse 1st degree - physical harm	566.100-999Y197936	C	SEX	1	0%	0%	100%	7.0

**Appendix II: Felony Sentences Received by the Department of Correction Including Percent Disposition and Average Sentence by Offense, Fiscal 2011-2015**

Charge Code	Offense	New Charge Code RSMo-identifier	Felony Class	Offense Group	Sentence (Count)	Percent			Sentence (years)
						Probation	Shk/Trt	Prison	
22021	Sexual abuse - serious physical injury/displays deadly weapon	566.100-998Y199536	B	SEX	4	50%	0%	50%	5.0
22022	Sexual abuse	566.100-997Y199536	C	SEX	23	48%	35%	17%	4.0
22023	Sexual contact with student by teacher, student teacher, empl	566.086-001Y200536	D	SEX	5	60%	20%	20%	4.0
22025	Sex misconduct involving a child 1st offense replaced by 22027	566.083-999Y199736	D	SEX	2	100%	0%	0%	-
22027	Sexual misconduct or attempt involving a child less than 15 years	566.083-001Y200536	D	SEX	213	54%	15%	30%	3.3
22030	Sexual abuse 1st degree	566.100-996Y197936	D	SEX	2	0%	50%	50%	4.0
22037	Sexual misconduct or attempt involving a child less than 15 years	566.083-002Y200536	C	SEX	19	21%	11%	68%	4.8
22090	Incest	568.020-001Y190036	D	SEX	16	38%	6%	56%	3.9
22100	Child molestation-1st degree-displays deadly weapon/serious injury	566.067-999Y199536	B	SEX	4	50%	0%	50%	9.0
22102	Child molestation 1st degree - previous conviction under chapter	566.067-001Y200036	A	SEX	6	0%	0%	100%	20.5
22103	Child molestation 1st degree - victim is less than 12 years of age	566.067-002Y200636	A	SEX	14	7%	0%	93%	17.5
22105	Child molestation-1st degree	566.067-998Y199436	C	SEX	2	0%	0%	100%	6.0
22107	Child molestation 1st degree	566.067-003Y200036	B	SEX	622	27%	22%	51%	9.2
22110	Child molestation 2nd degree - previous conviction under chapter	566.068-001Y199536	D	SEX	8	38%	25%	38%	3.3
22130	Sexual contact with prisoner or offender by probation/parole officer	566.145-001Y200236	D	SEX	12	100%	0%	0%	-
22205	Use of child in sexual performance	568.080-002Y198436	C	SEX	7	29%	43%	29%	7.0
22336	Include false information in an offender registration statement	589.425-993Y200436	D	NVI	1	0%	0%	100%	2.0
22345	Failure of offender to inform law enforcement of new address	589.425-984Y200436	D	NVI	1	100%	0%	0%	-
22352	Prior offender reside within 1000 feet of a school or child care facility	566.147-002Y200436	D	SEX	20	75%	5%	20%	3.3
22361	Fail to register as a sex offender pursuant to sections 589.4	589.425-001Y200836	D	NVI	737	61%	5%	35%	2.7
22364	Sex offender physically present/loiter within 500 feet of a public place	566.150-002Y200936	D	SEX	28	89%	0%	11%	3.3
22365	Fail to register as a sex offender pursuant to sections 589.40	589.425-978Y200636	D	NVI	8	50%	0%	50%	2.0
22366	Fail to register as a sex offender pursuant to sections 589.4	589.425-002Y200836	C	NVI	128	58%	5%	38%	3.5
22370	Fail to register as a sex offender pursuant to sections 589.4	589.425-003Y200636	D	NVI	110	46%	4%	50%	2.8
22375	Fail to register as a sex offender pursuant to sections 589.4	589.425-004Y200636	C	NVI	152	48%	9%	43%	3.9
22380	Fail to register as a sex offender pursuant to sections 589.4	589.425-005Y200636	U	NVI	26	31%	8%	62%	6.4
22400	Age misrepresentation with intent to solicit a minor (via the internet)	566.153-001Y200836	D	SEX	7	86%	0%	14%	4.0
23010	Tampering with service of utility or institution 1st degree	569.080-001Y194929	C	NVI	64	59%	16%	25%	4.5
23013	Tampering with motor vehicle 1st degree	569.080-002Y200529	C	NVI	3,432	58%	11%	32%	4.2
23014	Tampering with airplane/motorboat 1st degree	569.080-003Y200529	C	NVI	47	57%	6%	36%	4.1
23015	Tampering 1st degree with motor vehicle, airplane, motorboat, etc	569.080-998Y198229	C	NVI	4	50%	0%	50%	2.5
23020	Tampering with utility meter 2nd degree - 2nd or subsequent offense	569.090-001Y198229	D	NVI	2	100%	0%	0%	-
23031	Tampering with property of another - 2nd degree - motivated by financial gain	557.035-002Y199929	D	NVI	5	80%	20%	0%	-
23036	Tampering with property of another 2nd degree (prior conviction)	569.090-004Y200529	C	NVI	1	100%	0%	0%	-
23038	Tampering with airplane/motorboat 2nd degree (prior conviction)	569.090-005Y200529	C	NVI	1	100%	0%	0%	-

**Appendix II: Felony Sentences Received by the Department of Correction Including Percent Disposition and Average Sentence by Offense, Fiscal 2011-2015**

Charge Code	Offense	New Charge Code RSMo-identifier	Felony Class	Offense Group	Sentence (Count)	Percent			Sentence (years)
						Probation	Shk/Trt	Prison	
23039	Tampering with motor vehicle 2nd degree (prior conviction/fin	569.090-006Y200529	C	NVI	8	38%	25%	38%	4.7
23043	Tampering with computer data to defraud or obtain property (v	569.095-001Y200229	D	NVI	1	100%	0%	0%	-
23063	Tampering with computer equipment/computer/system/network (c	569.097-001Y200229	C	NVI	1	100%	0%	0%	-
23065	Tampering with computer equipment to defraud or obtain proper	569.097-002Y200229	D	NVI	1	100%	0%	0%	-
23106	Property damage motivated by discrimination 1st degree	557.035-003Y199929	C	NVI	1	100%	0%	0%	-
23108	Property damage motivated by discrimination 2nd degree	557.035-004Y199929	D	NVI	5	80%	0%	20%	3.0
23110	Property damage 1st degree	569.100-001Y197929	D	NVI	911	78%	5%	18%	3.2
23113	Property damage - 1st degree - damage to motor vehicle within	569.100-002Y201229	B	NVI	1	100%	0%	0%	-
23116	Property damage - 1st degree - damage to motor vehicle within	569.100-003Y201229	C	NVI	14	57%	7%	36%	3.8
23225	Institutional vandalism (value over \$5,000)	574.085-001Y199629	C	NVI	3	67%	0%	33%	4.0
23230	Institutional vandalism (value \$1,000 to \$5,000)	574.085-002Y199629	D	NVI	2	100%	0%	0%	-
23241	Damage to department of corrections building or property by an	217.385-002Y199529	C	NVI	6	67%	0%	33%	3.0
23245	Damage to jail/jail property	221.353-001Y199729	D	NVI	167	53%	5%	43%	3.0
23274	Violate section 578.416 regarding crop loss (value \$501 to \$1	578.416-003Y200129	D	NVI	1	0%	0%	100%	2.0
24010	Receiving stolen property \$150 or more	570.080-999Y190028	C	NVI	2	100%	0%	0%	-
24013	Receiving stolen property	570.080-001Y201128	B	NVI	17	71%	6%	24%	7.0
24015	Receiving stolen property	570.080-002Y200228	C	NVI	2,231	66%	8%	26%	4.3
24027	Receiving stolen property - 3rd offense	570.080-004Y200228	D	NVI	15	53%	0%	47%	3.1
24035	Altering or removing item number to deprive lawful owner (val	570.085-001Y200228	D	NVI	1	0%	0%	100%	2.0
24105	Failure to return leased or rented property (value of \$500 or	578.150-998Y200228	C	NVI	124	82%	2%	16%	3.7
25010	Promoting obscenity 1st degree	573.020-001Y197537	D	SEX	2	0%	50%	50%	4.0
25026	Poss/control child porn mat after pled guilty/found guilty of p	573.037-999Y198737	D	SEX	1	0%	0%	100%	4.0
25029	Possession of child pornography	573.037-996Y200437	D	SEX	12	58%	0%	42%	2.6
25032	Furnish pornographic material or attempt to furnish to a mino	573.040-001Y198737	D	SEX	1	100%	0%	0%	-
25050	Promoting child pornography 1st degree	573.025-001Y198537	B	SEX	16	13%	6%	81%	8.2
25063	Promoting child pornography 2nd degree	573.035-001Y200037	C	SEX	6	33%	0%	67%	4.5
25080	Possession of child pornography - 2nd/subsequent offense or po	573.037-001Y200837	B	SEX	148	34%	17%	49%	8.7
25085	Possession of child pornography - 1st offense	573.037-002Y200837	C	SEX	108	54%	23%	23%	5.2
26021	Abandonment of child 1st degree	568.030-001Y199538	B	SEX	1	0%	0%	100%	5.0
26022	Abandonment of child 2nd degree	568.032-001Y199538	D	SEX	1	0%	100%	0%	-
26031	Nonsupport in each of 6 individual months within any 12-month	568.040-998Y199338	D	NVI	1,081	69%	4%	27%	2.9
26035	Non-support, total arrears in excess of 12 monthly payments du	568.040-001Y200938	D	NVI	3,747	89%	2%	9%	2.6
26045	Endangering welfare of a child 1st degree	568.045-001Y200338	C	SEX	959	74%	9%	17%	4.8
26046	Endangering the welfare of a child - 1st degree - ritual/cere	568.045-002Y200338	B	SEX	6	83%	0%	17%	7.0
26047	Endangering the welfare of a child - 1st degree - 1st offense	568.045-003Y200338	C	SEX	37	49%	14%	38%	4.2

**Appendix II: Felony Sentences Received by the Department of Correction Including Percent Disposition and Average Sentence by Offense, Fiscal 2011-2015**

Charge Code	Offense	New Charge Code RSMo-identifier	Felony Class	Offense Group	Sentence (Count)	Percent			Sentence (years)
						Probation	Shk/Trt	Prison	
26048	Endangering the welfare of a child - 1st degree - ritual/cere	568.045-004Y200338	B	SEX	2	50%	50%	0%	-
26051	Endangering welfare of child in ritual/ceremony, 1st deg 2ndo	568.045-999Y199038	C	SEX	1	100%	0%	0%	-
26052	Endangering welfare of child 1st degree	568.045-998Y199038	D	SEX	4	75%	0%	25%	4.0
26053	Endangering welfare of child in ritual/ceremony 2nd degree	568.050-002Y199038	D	SEX	3	67%	33%	0%	-
26054	Abuse of child - resulting in death	568.060-999Y199738	A	SEX	10	0%	0%	100%	20.7
26055	Abuse of child - serious emotional injury	568.060-998Y198438	B	SEX	7	14%	43%	43%	12.3
26058	Endangering the welfare of a child 2nd degree (intoxication/b	568.050-004Y200538	D	SEX	4	100%	0%	0%	-
26062	Abuse or neglect of a child - resulting in death under sec.56	568.060-001Y201338	A	SEX	3	0%	0%	100%	16.7
26063	Abuse of child	568.060-995Y198438	C	SEX	255	73%	8%	18%	4.6
26064	Abuse or neglect of a child under sec. 568.060.5(1)	568.060-002Y201238	C	SEX	102	65%	4%	31%	4.9
26065	Abuse of child - prohibited sexual act	568.060-994Y198438	C	SEX	2	0%	0%	100%	6.0
26067	Abuse or neglect of a child - serious emotional or physicalin	568.060-004Y201238	A	SEX	1	0%	0%	100%	20.0
26068	Abuse or neglect of a child - 2nd or subsequent offense	568.060-005Y201238	B	SEX	1	0%	0%	100%	9.0
26069	Abuse or neglect of a child - serious emotional or physicalin	568.060-006Y201238	B	SEX	12	8%	0%	92%	11.0
26072	Child molestation 1st degree	566.067-996Y199538	C	SEX	1	100%	0%	0%	-
26083	Violation of order of protection for adult-2nd offense	455.085-998Y198938	D	NVI	1	100%	0%	0%	-
26130	Trafficking in children	568.175-001Y198538	C	SEX	1	100%	0%	0%	-
26160	Unlawfully surrender custody/transfer custody of minor childw	453.110-001Y199738	D	NVI	2	100%	0%	0%	-
26165	Elder abuse 1st degree	565.180-001Y200338	A	VIO	3	0%	0%	100%	11.3
26170	Elder abuse 2nd degree	565.182-001Y200338	B	VIO	11	36%	27%	36%	8.3
27020	Resisting/interfering with arrest for a felony	575.150-001Y195048	D	NVI	1,010	51%	10%	39%	3.1
27025	Resisting arrest/detention/stop by fleeing - creating a subst	575.150-002Y200548	D	NVI	1,313	56%	10%	34%	3.1
27035	Resist arrest by fleeing-creating substantial risk of serious	575.150-998Y200248	D	NVI	1	0%	0%	100%	2.0
27045	Disarming a peace officer or correctional officer while perfo	575.153-001Y200948	C	NVI	4	75%	0%	25%	2.0
27062	Aiding a sexual offender elude law enforcement regarding nonc	575.159-001Y200648	D	NVI	2	50%	0%	50%	4.0
28015	Escape from commitment/detention/conditional release from sta	575.195-001Y200449	D	NVI	2	50%	0%	50%	2.0
28020	Escape or attempted escape from custody with deadly weapon,da	575.200-001Y197549	A	VIO	1	0%	0%	100%	10.0
28030	Escape or attempted escape from custody while under arrest fo	575.200-002Y197549	D	NVI	53	49%	13%	38%	3.0
28051	Escape or attempted escape from department of corrections	575.210-002Y199449	B	NVI	5	0%	20%	80%	8.3
28055	Escape/attempt escape from confinement by striking person	575.210-003Y198649	C	VIO	4	25%	25%	50%	4.0
28065	Escape or attempted escape from confinement	575.210-004Y198649	D	NVI	24	25%	4%	71%	3.2
28080	Fail to return to confinement to department of corrections	575.220-001Y197549	D	NVI	14	7%	14%	79%	2.7
28115	Aiding escape of prisoner confined for felony	575.230-002Y200149	B	NVI	4	0%	0%	100%	4.3
29010	Concealing a felony	575.020-001Y197550	D	NVI	6	67%	17%	17%	4.0
29030	Hindering prosecution of felony	575.030-001Y197550	D	NVI	81	75%	7%	17%	3.0

**Appendix II: Felony Sentences Received by the Department of Correction Including Percent Disposition and Average Sentence by Offense, Fiscal 2011-2015**

Charge Code	Offense	New Charge Code RSMo-identifier	Felony Class	Offense Group	Sentence (Count)	Percent			Sentence (years)
						Probation	Shk/Trt	Prison	
29070	Perjury in a procedure involving a felony charge	575.040-003Y197550	C	NVI	5	20%	40%	40%	2.0
29075	Perjury in a procedure not involving a felony charge	575.040-004Y197550	D	NVI	5	80%	0%	20%	4.0
29110	Tampering with physical evidence in felony prosecution	575.100-001Y197550	D	NVI	69	65%	9%	26%	3.3
29173	Violation of order of protection for adult - 2nd offense	455.085-001Y200950	D	NVI	126	56%	10%	34%	3.1
29176	Violation of child protection order - 2nd or subsequent offen	455.538-001Y201150	D	NVI	5	40%	0%	60%	3.3
29217	Tampering with judicial officer	565.084-001Y199750	C	NVI	31	48%	3%	48%	3.5
29220	Tampering with judicial proceeding	575.260-001Y197550	C	NVI	4	50%	25%	25%	6.0
29230	Tampering with a victim or a witness or attempt tampering wit	575.270-001Y197950	C	NVI	74	58%	7%	35%	3.9
29370	Failure to appear on felony	544.665-999Y197550	U	NVI	3	33%	0%	67%	2.5
29375	Failure to appear - felony	544.665-001Y200950	D	NVI	65	40%	15%	45%	2.9
29409	Tampering with electronic monitoring equipment	575.205-001Y200550	C	NVI	15	40%	13%	47%	3.1
29463	Violating a condition of lifetime supervision	575.206-001Y200550	C	NVI	2	50%	0%	50%	7.0
31010	Armed criminal action	571.015-001Y197552	U	VIO	59	3%	2%	95%	5.6
31015	Unlawful use of weapon motivated by discrimination	557.035-005Y199952	C	NVI	3	100%	0%	0%	-
31020	Unlawful use of weapon (subsections 1-4)	571.030-999Y195052	D	NVI	2,396	83%	4%	13%	3.1
31040	Unlawful transfer of weapon to felon, fugitive, addict or inc	571.060-001Y197552	D	NVI	5	100%	0%	0%	-
31065	Unlawful possession of a firearm	571.070-001Y200852	C	NVI	1,194	51%	8%	40%	4.4
31080	Unlawful possession, transport, manufacture, repair or sale of	571.020-001Y197552	C	NVI	84	70%	5%	25%	4.3
31127	Carry loaded firearm/weapon into any school, onto school bus,	571.030-992Y200052	D	NVI	9	100%	0%	0%	-
31147	Discharge/shoot firearm at or from motor vehicle/shoot at per	571.030-001Y200352	B	VIO	15	80%	7%	13%	15.0
31149	Discharge/shoot firearm at or from motor vehicle/shoot at per	571.030-002Y200352	B	VIO	4	25%	50%	25%	15.0
31150	Discharge firearm, hurl missile at, into, or upon bus	578.310-002Y198252	A	VIO	1	0%	0%	100%	12.0
31151	Discharge/shoot firearm at or from motor vehicle/shoot at per	571.030-990Y199552	A	VIO	12	25%	0%	75%	11.3
31152	Discharge/shoot firearm at or from motor vehicle/shoot at per	571.030-989Y199552	B	VIO	63	63%	14%	22%	13.6
31154	Aiding/abetting a person discharging/shooting a firearm at or	571.030-004Y199552	B	VIO	3	0%	33%	67%	12.5
31162	Possess/discharge loaded firearm/projectile weapon while into	571.030-988Y200352	D	NVI	55	91%	0%	9%	2.6
31163	Possess/discharge loaded firearm/projectile weapon while into	571.030-987Y201052	D	NVI	95	89%	6%	4%	3.3
31170	Possession of weapon, explosive or hazardous material on bus o	578.320-001Y198252	C	NVI	1	100%	0%	0%	-
31171	Unlawful use of weapon - subsection 1 - carries concealed	571.030-007Y201452	D	NVI	63	95%	0%	5%	3.3
31172	Unlawful use of weapon - subsection 2 - spring gun	571.030-008Y201452	D	NVI	1	0%	100%	0%	-
31174	Unlawful use of weapon - subsection 4 - exhibiting	571.030-010Y201452	D	NVI	61	85%	3%	11%	2.4
31175	Unlawful use of weapon - subsection 5 - while intoxicated -lo	571.030-011Y201452	D	NVI	8	100%	0%	0%	-
31182	Deliver/attempt to deliver/possess/deposit/conceal gun/knife/	217.360-001Y200352	B	VIO	60	13%	2%	85%	6.1
31186	Unlawful use of weapon - subsection 10 - carry loaded weaponi	571.030-017Y201452	D	NVI	4	100%	0%	0%	-
31189	Unlawful use of weapon - subsection 9 - shoot at/from motorve	571.030-020Y201452	B	VIO	2	100%	0%	0%	-

**Appendix II: Felony Sentences Received by the Department of Correction Including Percent Disposition and Average Sentence by Offense, Fiscal 2011-2015**

Charge Code	Offense	New Charge Code RSMo-identifier	Felony Class	Offense Group	Sentence (Count)	Percent			Sentence (years)
						Probation	Shk/Trt	Prison	
31195	Delivery or possession of weapon at county/private jail	221.111-001Y198652	B	VIO	18	44%	17%	39%	7.0
32255	Keeping or maintaining a public nuisance	195.130-001Y198935	C	DRG	120	83%	13%	4%	4.0
32322	Deliver/attempt to deliver/possess/deposit/conceal controlled	217.360-002Y200335	C	DRG	301	42%	6%	52%	3.5
32327	Delivery or possession of a controlled substance at county/pr	221.111-002Y198635	C	DRG	169	65%	8%	27%	3.8
32448	Possession of controlled substance except 35 grams or less of m	195.202-999Y198935	A	DRG	1	100%	0%	0%	-
32449	Possession of controlled substance except 35 grams or less of m	195.202-998Y198935	B	DRG	1	100%	0%	0%	-
32450	Possession of controlled substance except 35 grams or less of	195.202-001Y198935	C	DRG	28,474	76%	8%	16%	4.4
32452	Possession of controlled substance except 35 grams or less of	195.202-002Y201035	C	DRG	541	72%	11%	17%	4.7
32460	Fraudulently attempting to obtain controlled substance	195.204-001Y198935	D	DRG	591	85%	6%	10%	3.2
32461	Manufacture/produce/attempt to manufacture/produce more than	195.211-001Y200335	A	DRG	112	60%	22%	18%	14.1
32463	Distribute/deliver/manufacture/produce or attempt to or posse	195.211-999Y198935	A	DRG	24	38%	13%	50%	9.8
32465	Distribute/deliver/manufacture/produce or attempt to or posse	195.211-002Y198935	B	DRG	9,731	60%	19%	21%	8.3
32467	Distribute/deliver heroin/cocaine/cocaine base/lsd/amphetamin	195.217-001Y200735	A	DRG	5	20%	40%	40%	11.0
32470	Distributing or delivering not more than 5 grams marijuana	195.211-003Y198935	C	DRG	712	82%	6%	12%	4.2
32475	Distribute controlled substance to a minor	195.212-001Y198935	B	DRG	30	70%	20%	10%	5.0
32480	Purchasing or transporting controlled substance with minor	195.213-001Y198935	B	DRG	5	80%	0%	20%	3.0
32485	Distributing controlled substance near schools	195.214-001Y198935	A	DRG	103	48%	18%	34%	12.5
32486	Distributing controlled substance near public housing or gove	195.218-001Y199335	A	DRG	27	78%	15%	7%	12.5
32487	Provide reagents, solvents or precursor materials to anotherw	195.226-001Y199835	D	DRG	81	78%	4%	19%	3.2
32488	Trafficking in drugs/attempt to traffic 1st degree/over statu	195.222-001Y198935	A	DRG	15	20%	13%	67%	12.4
32490	Trafficking in drugs/attempt to traffic 1st degree	195.222-002Y198935	A	DRG	94	36%	29%	35%	13.2
32495	Trafficking in drugs/attempt to traffic 2nd degree	195.223-001Y198935	A	DRG	189	49%	19%	33%	12.6
32497	Trafficking in drugs/attempt to traffic 1st degree - withina	195.222-004Y200135	A	DRG	10	60%	10%	30%	17.0
32498	Trafficking in drugs/attempt to traffic 2nd degree/450 gramso	195.223-002Y198935	A	DRG	7	29%	0%	71%	15.4
32500	Trafficking in drugs/attempt to traffic 2nd degree	195.223-003Y198935	B	DRG	589	55%	19%	26%	8.9
32506	Unlawful use of drug paraphernalia - amphetamine/methamphetan	195.233-002Y199835	D	DRG	340	67%	8%	25%	3.3
32510	Deliver/sell, possess with intent to deliver/sell, manufactur	195.235-001Y198935	D	DRG	95	76%	5%	19%	2.9
32520	Delivery or manufacture of imitation controlled substance	195.242-001Y198935	D	DRG	105	63%	7%	30%	3.0
32526	Possess any methamphetamine precursor drug with intent to man	195.246-001Y199635	D	DRG	420	75%	7%	18%	3.0
32528	Market/sell/distribute/advertise or label any drug product co	195.248-001Y199635	D	DRG	2	100%	0%	0%	-
32530	Distribute/dispense controlled substance or manufacture/distr	195.252-001Y198935	D	DRG	2	100%	0%	0%	-
32540	Unlawful delivery of controlled substance by manufacturer ord	195.254-001Y198935	D	DRG	5	100%	0%	0%	-
32545	Unlawful use of trademark in manufacture or delivery of contr	195.256-001Y198935	D	DRG	1	100%	0%	0%	-
32560	Furnishing or receiving any substance under section 195.400.2	195.405-999Y198935	D	DRG	3	33%	33%	33%	4.0
32566	Possess chemical with intent to manufacture, compound, conver	195.420-001Y199835	C	DRG	861	63%	12%	26%	5.0

**Appendix II: Felony Sentences Received by the Department of Correction Including Percent Disposition and Average Sentence by Offense, Fiscal 2011-2015**

Charge Code	Offense	New Charge Code RSMo-identifier	Felony Class	Offense Group	Sentence (Count)	Percent			Sentence (years)
						Probation	Shk/Trt	Prison	
32610	Possession of anhydrous ammonia in a non-approved container	578.154-999Y200135	D	DRG	4	100%	0%	0%	-
32640	Any person not the owner/not in lawful control of approved co	577.075-999Y200335	A	DRG	1	100%	0%	0%	-
32645	Any person not the owner/not in lawful control of approved co	577.075-998Y200335	B	DRG	2	0%	0%	100%	8.5
33355	Deliver/attempt to deliver/possess/deposit/conceal alkaloid of	217.360-003Y200341	D	NVI	3	33%	0%	67%	2.5
33365	Delivery or possession of alcohol or spirituous or malt liquo	221.111-003Y198641	D	NVI	16	25%	13%	63%	2.2
34055	Harassment motivated by discrimination to frighten or disturb	557.035-007Y199953	D	VIO	2	100%	0%	0%	-
34057	Harassment by person 21 years or older against person 17 year	565.090-001Y200853	D	VIO	43	56%	7%	37%	2.8
34211	Aggravated stalking - previously found guilty or plead guilty	565.225-001Y200853	C	VIO	10	50%	10%	40%	4.3
34220	Aggravated stalking-1st offense or stalking 2nd offense	565.225-998Y199353	D	VIO	1	0%	0%	100%	4.0
34221	Aggravated stalking - 1st offense	565.225-002Y200853	D	VIO	186	72%	7%	21%	3.2
34231	Stalking - previously found guilty or plead guilty to violati	565.225-003Y200853	D	VIO	4	50%	0%	50%	3.5
35080	Committed class one election offense	115.631-002Y197859	U	NVI	2	50%	50%	0%	-
35081	Class one election offense - make false sworn statement/affid	115.405-001Y197859	U	NVI	1	100%	0%	0%	-
36007	Recklessly infect another with hiv when actor is knowingly in	191.677-002Y200255	A	VIO	4	0%	0%	100%	13.3
36008	Be or attempt to be a blood, blood product, organ, tissue, sp	191.677-003Y200255	B	VIO	1	0%	100%	0%	-
36009	Recklessly risk infection of another with hiv when actor is kn	191.677-004Y200255	B	VIO	23	39%	4%	57%	8.1
36048	Abandonment of a corpse	194.425-001Y199555	D	NVI	9	56%	11%	33%	3.3
36087	Possess, sale, transport, ship or use illegal explosive forc	320.136-001Y200455	C	NVI	3	100%	0%	0%	-
36173	Intentionally inhale/smell the fumes or induce another to inh	578.250-001Y200955	D	NVI	6	50%	17%	33%	3.0
36174	Intentionally induce symptoms by use of solvents or possessso	578.255-004Y200955	D	NVI	1	0%	0%	100%	2.0
36177	Intentionally possess or buy solvent to induce or aid another	578.260-001Y200955	D	NVI	1	100%	0%	0%	-
36200	Dog fighting	578.025-001Y198455	D	NVI	23	61%	4%	35%	3.4
36335	Violations involving health care payments - 1st offense	191.905-002Y200755	C	NVI	13	92%	8%	0%	-
36339	Abuse of health care recipient - physical, sexual or emotiona	191.905-004Y200255	C	NVI	3	33%	33%	33%	5.0
36545	Animal abuse/torture/mutilation while animal was alive - pers	578.012-002Y199455	D	NVI	27	70%	0%	30%	3.3
36600	Knowingly disturb/destroy/remove/vandalize/damage a marked o	194.410-001Y198755	D	NVI	3	100%	0%	0%	-
36850	Failure of employer to insure liability under worker's compen	287.128-009Y200555	D	NVI	2	50%	50%	0%	-
36965	Violation of pharmacy law by non-licensed person	338.195-001Y199055	C	NVI	1	100%	0%	0%	-
37005	Willfully failed to make a sales tax return/pay sales tax	144.480-999Y197961	U	NVI	1	100%	0%	0%	-
37008	Employer, with intent to defraud, willfully failed to file re	143.221-999Y198561	D	NVI	3	100%	0%	0%	-
37013	With intent to defraud, willfully failed to make a sales tax	144.480-001Y197461	U	NVI	52	98%	0%	2%	3.0
37015	Failure to file/pay a missouri income tax return -	143.931-001Y197561	U	NVI	9	78%	0%	22%	5.0
37025	Filing a false missouri income tax return	143.941-001Y197561	U	NVI	5	80%	0%	20%	5.0
37060	Filing false sales tax return	144.490-001Y197461	U	NVI	2	100%	0%	0%	-
37080	Attempting to evade or defeat income tax	143.911-001Y197461	U	NVI	2	50%	0%	50%	3.0

**Appendix II: Felony Sentences Received by the Department of Correction Including Percent Disposition and Average Sentence by Offense, Fiscal 2011-2015**

Charge Code	Offense	New Charge Code RSMo-identifier	Felony Class	Offense Group	Sentence (Count)	Percent			Sentence (years)
						Probation	Shk/Trt	Prison	
37097	Employer, with intent to defraud, willfully failed to file re	143.221-001Y198561	U	NVI	3	100%	0%	0%	-
37150	Fail to pay missouri use tax	144.610-001Y195861	U	NVI	1	100%	0%	0%	-
39265	Sale of wildlife taken in violation of missouri department of	252.235-001Y200262	C	NVI	2	50%	50%	0%	-
46609	Operated vehicle on highway without valid license - 3rd or su	302.020-001Y199954	D	NVI	379	81%	4%	15%	2.8
46611	Operate motor vehicle on highway while driver license/privile	302.321-001Y200454	D	NVI	52	50%	19%	31%	2.6
46613	Operated motorcycle when driver's license not validated forsu	302.020-002Y199954	D	NVI	9	67%	33%	0%	-
46616	Operate motor vehicle on highway while driver's license/privi	302.321-002Y200454	D	NVI	17	76%	12%	12%	3.0
46681	Operated motor vehicle on highway while driver's license/priv	302.321-972Y199954	D	NVI	23	39%	13%	48%	3.2
46682	Operated motor vehicle on highway while driver's license/priv	302.321-971Y197554	D	NVI	412	64%	9%	27%	2.7
46683	Operated motor vehicle on highway while driver's license priv	302.321-970Y199954	D	NVI	123	60%	11%	29%	2.8
46684	Driving while revoked (suspended for stealing motor fuel aspu	302.321-969Y200154	D	NVI	24	79%	0%	21%	3.0
46689	Operated motor vehicle on highway while driver's license/priv	302.321-964Y199954	D	NVI	193	65%	11%	24%	2.7
46692	Operated motor vehicle on highway while driver's license/priv	302.321-961Y200154	D	NVI	16	63%	6%	31%	2.2
46693	Operated motor vehicle on highway while driver's license/priv	302.321-960Y199954	D	NVI	1	100%	0%	0%	-
46694	Operated motor vehicle on highway while driver's license/priv	302.321-959Y200154	D	NVI	3	67%	0%	33%	3.0
46695	Operated motor vehicle on highway while driver's license/priv	302.321-958Y199954	D	NVI	10	80%	10%	10%	4.0
46697	Operated motor vehicle on highway while driver's license/priv	302.321-957Y199954	D	NVI	9	67%	0%	33%	2.7
46780	Driving while revoked/suspended	302.321-005Y201154	D	NVI	1,135	65%	7%	27%	2.7
47301	Fail to stop for school bus that is receiving/discharging sch	304.050-001Y200654	D	NVI	1	100%	0%	0%	-
47410	Dwi - alcohol - persistent offender	577.010-001Y197954	D	DWI	6,445	80%	12%	8%	2.9
47417	Dwi - alcohol - chronic offender	577.010-003Y200554	B	DWI	866	10%	32%	59%	7.3
47418	Dwi - alcohol - aggravated offender	577.010-004Y200554	C	DWI	3,276	46%	35%	19%	4.6
47423	Dwi - drug intoxication - chronic offender	577.010-006Y200554	B	DWI	14	7%	29%	64%	7.9
47427	Dwi - drug intoxication - aggravated offender	577.010-007Y200554	C	DWI	78	45%	41%	14%	4.5
47430	Dwi - drug intoxication - persistent offender	577.010-008Y197954	D	DWI	235	71%	17%	11%	2.8
47443	Dwi - combined alcohol/drug intoxication - chronic offender	577.010-011Y200554	B	DWI	13	23%	46%	31%	9.5
47447	Dwi - combined alcohol/drug intoxication - aggravated offende	577.010-012Y200554	C	DWI	52	44%	38%	17%	4.8
47450	Dwi - combined alcohol/drug intoxication - persistent offende	577.010-013Y197954	D	DWI	124	75%	13%	12%	2.9
47463	Excessive blood alcohol content - chronic offender	577.012-001Y200554	B	DWI	2	0%	0%	100%	7.5
47467	Excessive blood alcohol content - aggravated offender	577.012-002Y200554	C	DWI	10	50%	30%	20%	5.0
47470	Excessive blood alcohol content - persistent offender	577.012-003Y197954	D	DWI	9	89%	0%	11%	2.0
48865	Leaving scene of motor vehicle accident - injury, property da	577.060-001Y197954	D	NVI	931	83%	5%	12%	3.0
51050	Bribery of a public servant	576.010-001Y197951	D	NVI	7	71%	14%	14%	4.0
51100	Acceding to corruption by a public servant	576.020-001Y197551	D	NVI	2	100%	0%	0%	-
57010	Trespass to railroad property with damages over \$1,500 or inj	389.653-002Y200357	D	NVI	1	100%	0%	0%	-

**Appendix II: Felony Sentences Received by the Department of Correction Including Percent Disposition and Average Sentence by Offense, Fiscal 2011-2015**

Charge Code	Offense	New Charge Code RSMo-identifier	Felony Class	Offense Group	Sentence (Count)	Percent			Sentence (years)
						Probation	Shk/Trt	Prison	
57100	Invasion of privacy 1st degree	565.252-001Y200357	D	NVI	9	78%	0%	22%	3.5
57110	Invasion of privacy - previously plead guilty/found guilty of	565.253-001Y200357	C	NVI	1	0%	100%	0%	-
57115	Invasion of privacy - previously plead guilty/found guilty of	565.253-002Y200357	D	NVI	2	0%	0%	100%	3.5
57125	Invasion of privacy of multiple individuals 2nd degree - 1sto	565.253-003Y200357	D	NVI	12	67%	8%	25%	3.3
58001	Making a false bomb report	575.090-001Y200316	D	NVI	13	92%	0%	8%	3.0
58010	Making a terrorist threat	574.115-001Y200316	C	VIO	26	62%	12%	27%	4.3
58020	Making a terrorist threat with reckless disregard of risk ofc	574.115-002Y200316	D	VIO	21	76%	5%	19%	3.0
59064	Criminal disposition of solid waste	260.212-001Y200755	D	NVI	9	78%	22%	0%	-
59105	Fraudulent use of nursing credentials under section 335.086	335.086-001Y200755	D	NVI	1	100%	0%	0%	-
59124	Possession of anhydrous ammonia in a non-approved container	578.154-001Y201155	D	NVI	3	100%	0%	0%	-
64005	Sexual exploitation of a minor	573.023-002Y200364	B	SEX	4	25%	0%	75%	9.3
64013	Enticement of a child (actor is 21 years of age or older andc	566.151-001Y200664	U	SEX	31	13%	0%	87%	9.0
64018	Attempted enticement of a child (actor is 21 years of age oro	566.151-002Y200664	U	SEX	24	8%	4%	88%	8.7
64030	Trafficking for the purposes of sexual exploitaion	566.209-999Y200464	B	SEX	1	0%	0%	100%	7.0
64031	Trafficking for the purposes of sexual exploitation	566.209-001Y201164	U	SEX	1	100%	0%	0%	-
90510	Assault	ORDIN.0-009Y200013	D	XXX	1	100%	0%	0%	-
91390	Miscellaneous controlled substance	ORDIN.0-079Y200035	D	XXX	1	100%	0%	0%	-
91440	Dwi - alcohol - prior offender	ORDIN.0-086Y200054	D	XXX	1	100%	0%	0%	-
91450	Dwi - drug intoxication	ORDIN.0-087Y200054	D	XXX	1	100%	0%	0%	-
96010	Stealing	ORDIN.0-329Y200023	D	XXX	1	100%	0%	0%	-
96310	Resisting arrest	ORDIN.0-338Y200048	D	XXX	1	100%	0%	0%	-

### **APPENDIX III: AUTHORIZING STATUTE: SECTION 558.019, RSMO**

6. (1) A sentencing advisory commission is hereby created to consist of eleven members. One member shall be appointed by the speaker of the house. One member shall be appointed by the president pro tem of the senate. One member shall be the director of the department of corrections. Six members shall be appointed by and serve at the pleasure of the governor from among the following: the public defender commission; private citizens; a private member of the Missouri Bar; the board of probation and parole; and a prosecutor. Two members shall be appointed by the supreme court, one from a metropolitan area and one from a rural area. All members shall be appointed to a four-year term. All members of the sentencing commission appointed prior to August 28, 1994, shall continue to serve on the sentencing advisory commission at the pleasure of the governor.

(2) The commission shall study sentencing practices in the circuit courts throughout the state for the purpose of determining whether and to what extent disparities exist among the various circuit courts with respect to the length of sentences imposed and the use of probation for offenders convicted of the same or similar crimes and with similar criminal histories. The commission shall also study and examine whether and to what extent sentencing disparity among economic and social classes exists in relation to the sentence of death and if so, the reasons therefor sentences are comparable to other states, if the length of the sentence is appropriate, and the rate of rehabilitation based on sentence. It shall compile statistics, examine cases, draw conclusions, and perform other duties relevant to the research and investigation of disparities in death penalty sentencing among economic and social classes.

(3) The commission shall study alternative sentences, prison work programs, work release, home-based incarceration, probation and parole options, and any other programs and report the feasibility of these options in Missouri.

(4) The governor shall select a chairperson who shall call meetings of the commission as required or permitted pursuant to the purpose of the sentencing commission.

(5) The members of the commission shall not receive compensation for their duties on the commission, but shall be reimbursed for actual and necessary expenses incurred in the performance of these duties and for which they are not reimbursed by reason of their other paid positions.

(6) The circuit and associate circuit courts of this state, the office of the state courts administrator, the department of public safety, and the department of corrections shall cooperate with the commission by providing information or access to information needed by the commission. The office of the state courts administrator will provide needed staffing resources.

7. Courts shall retain discretion to lower or exceed the sentence recommended by the commission as otherwise allowable by law, and to order restorative justice methods, when applicable.

8. If the imposition or execution of a sentence is suspended, the court may order any or all of the following restorative justice methods, or any other method that the court finds just or appropriate:

- (1) Restitution to any victim or a statutorily created fund for costs incurred as a result of the offender's actions;
- (2) Offender treatment programs;
- (3) Mandatory community service;
- (4) Work release programs in local facilities; and
- (5) Community-based residential and nonresidential programs.

9. The provisions of this section shall apply only to offenses occurring on or after August 28, 2003.

10. Pursuant to subdivision (1) of subsection 8 of this section, the court may order the assessment and payment of a designated amount of restitution to a county law enforcement restitution fund established by the county commission pursuant to section 50.565. Such contribution shall not exceed three hundred dollars for any charged offense. Any restitution moneys deposited into the county law enforcement restitution fund pursuant to this section shall only be expended pursuant to the provisions of section 50.565.

11. A judge may order payment to a restitution fund only if such fund had been created by ordinance or resolution of a county of the state of Missouri prior to sentencing. A judge shall not have any direct supervisory authority or administrative control over any fund to which the judge is ordering a defendant to make payment.

12. A defendant who fails to make a payment to a county law enforcement restitution fund may not have his or her probation revoked solely for failing to make such payment unless the judge, after evidentiary hearing, makes a finding supported by a preponderance of the evidence that the defendant either willfully refused to make the payment or that the defendant willfully, intentionally, and purposefully failed to make sufficient bona fide efforts to acquire the resources to pay.

13. Nothing in this section shall be construed to allow the sentencing advisory commission to issue recommended sentences in specific cases pending in the courts of this state.

(L. 1986 H.B. 1098 § 1, A.L. 1988 H.B. 1340 & 1348, A.L. 1989 S.B. 215 & 58, A.L. 1990 H.B. 974, A.L. 1993 H.B. 562, A.L. 1994 S.B. 763, A.L. 1998 H.B. 1508 merged with S.B. 766, A.L. 2003 S.B. 5, A.L. 2004 H.B. 1055, A.L. 2005 H.B. 353, A.L. 2012 S.B. 628)

(2000) Legislative intent of section was to increase or enhance punishment for present as opposed to prior conviction and thus is not an ex post facto law. Bailey v. Board of Probation and Parole, 36 S.W.3d 13 (Mo.App.W.D.).